

EXTENSIONS OF REMARKS

THE INSTALLATION OF RABBI MICHAEL PONT AS THE NEW LEADER OF THE TEMPLE BETH AHM IN ABERDEEN, NJ

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. PALLONE. Mr. Speaker, it is with great pleasure that I rise today to welcome the installation of Rabbi Michael Pont as the new leader of the Temple Beth Ahm in Aberdeen, New Jersey. Rabbi Pont has served his previous community with a great deal of capability and we are delighted to have him join our district.

Prior to joining the Aberdeen community, Rabbi Pont served on the Greensboro Jewish Federation Board of Trustees, Blumenthal Jewish Home Board, and Family Life Council Board. Rabbi Pont was also a participant of the March of the Living Seminar to Poland and Israel, Greensboro Jewish Federation Mission to Moldova, Greensboro Jewish Federation young Leadership Program.

Rabbi Pont served as the Assistant Rabbi at the Beth David Synagogue in Greensboro, NC. Among his many accomplishments, Rabbi Pont directed the religious school, oversaw programming for families and youth, led worship, and served as pastor.

Rabbi Pont has taught several educational courses to youth, young adults, and adults including classes on Jewish holidays, Jewish values, Shabbat, and kashrut. While in Greensboro, Rabbi Pont initiated educational and cultural programs for families of the entire Jewish community, and also initiated a community service project in which Jewish Family Services would assist new immigrants.

Rabbi Pont studied at the University of Judaism in Los Angeles, CA and the Schechter Institute in Jerusalem, Israel for his Rabbinical Ordination. He received his Masters Degree in Jewish Education from the Jewish Theological Seminary, New York, and his Bachelors Degree in Psychology from the University of Michigan, Ann Arbor. Rabbi Pont is currently a member of the Rabbinical Assembly and MERCAZ USA.

Mr. Speaker, I am proud and honored to welcome a man of Rabbi Michael Pont's experience and dedication to our community. Once again, I ask that you join me in congratulating Rabbi Michael Pont, and extend him good wishes and the best of luck in his new position.

HOUSE COMMITTEE ON RESOURCES RECEIVES INFORMATION ON THE UNITED NATIONS' MAN AND BIOSPHERE PROGRAM

HON. RICHARD W. POMBO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. POMBO. Mr. Speaker, the United Nations' Man and Biosphere Program (MAB) is managed by the United Nations Educational, Scientific and Cultural Organization (UNESCO) headquartered in Paris, France. Although there are 47 United Nations' Biosphere Reserves in the United States that comprise a land area larger than Colorado, this program is not authorized by even a single U.S. law or international treaty. This lack of legal authority is even more remarkable when one considers that millions of acres of private property in the United States are contained within the boundaries of biosphere reserves.

To better understand the workings of this program, it was necessary for me to write to Dr. Nataran Ishwaran, Director of UNESCO's Division of Ecological Resources in Paris, France, who oversees the Man and Biosphere Program. I desired to learn more about the process for establishing and terminating biosphere reserves as well as the monitoring UNESCO requires for these designations.

Dr. Ishwaran's reply indicated "Member States wishing to remove the biosphere reserve in its country notifies the UNESCO Secretariat which in turn informs the Man and Biosphere International Coordinating Committee (ICC). . . . The ICC is an intergovernmental body made up of 34 countries, elected in a rotational system by the UNESCO General Conference."

I commend my colleagues to learn more about the United Nations' Biosphere Reserves by reading this letter by Dr. Ishwaran, Director of UNESCO's Division of Ecological Resources.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION,

August 24, 2004.

Mr. RICHARD W. POMBO,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. POMBO: I should like to acknowledge your letter of 3 August 2004 and to thank you for your kind words on my new appointment.

Our replies to your questions regarding biosphere reserves follow below. They are based on the "Statutory Framework" for biosphere reserves, a text negotiated by over 400 experts (including US experts) in 1995 and adopted by the UNESCO General Conference under 28 C/Resolution 2.4 in the same year. This Resolution is considered a "soft law" and is not an internationally binding treaty as is for example the World Heritage Convention. The Statutory Framework, and the accompanying "Seville Strategy" can be found on the MABnet under <http://www.unesco.org/mab/publications/document.htm>.

It is important to understand that before this Statutory Framework was adopted in 1995, nomination and designation of sites did not follow such a formal legal procedure, and that the criteria for biosphere reserves were much more oriented to either nature conservation or scientific research. As you can see from the definition and "vision" for biosphere reserves, the emphasis now is on the combination of three functions of conservation, scientific research and development. This evolution in the biosphere reserve criteria means that the World Network of Biosphere Reserves, which began in 1976, contains a legacy of "old" sites nominated by their MAB National Committees but which do not necessarily conform to the 1995 criteria. This is the case in the USA, where sites were designated from 1976 up till 1991.

(1) Designation procedure—(see Article 5 of the Statutory Framework): UNESCO Member States make nominations for the designation of new sites as biosphere reserves through their MAB National Committees. The nomination form (<http://www.unesco.org/mab/docs/brnomform.htm>) requires endorsement at the local and national levels. The nominations are sent to the UNESCO Secretariat, which submits them for technical evaluation by the Advisory Committee for Biosphere Reserves (a 12 person group of experts nominated by the UNESCO Director-General). The nominations are then decided upon in the light of the recommendations from this Advisory Committee by the MAB International Coordinating Council (ICC). The ICC is an intergovernmental body made up of 34 countries, elected in a rotational system by the UNESCO General Conference. In practice the ICC devolves the decision on new nominations to its Bureau (the Chair and the five Vice-Chairs) that meets about once a year. The UNESCO Secretariat then informs the Member State on the decision. As is stipulated under Article 2.3, individual biosphere reserves remain under the sovereign jurisdiction of the States (countries) where they are situated.

(2) Monitoring—The Statutory Framework makes provision under Article 9 for a "periodic review" every ten years after designation. This is a self-evaluation, carried out by the "concerned authority" which in practice is usually the administrative body responsible for the biosphere reserve. The format for this periodic review report is voluntary, but countries generally use the form designed by the UNESCO Secretariat for this purpose (available on: <http://www.unesco.org/mab/publications/document.htm>). The periodic review reports follow the same process of technical evaluation and examination as for new nominations. The MAB Bureau makes a recommendation to the Member State concerned on each periodic review report: these recommendations are very often suggestions as to the types of measures which could be taken to improve the functioning of the site under question as a biosphere reserve.

(3) Terminating biosphere reserve designation—Technically, this can happen in two ways. As is said under Article 9.8, a Member State wishing to remove a biosphere reserve in its country notifies the UNESCO Secretariat which in turn informs the MAB ICC. A second procedure follows the periodic review

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

process as is stated under Article 9 paragraphs 5 and 6: if the ICC finds that a biosphere reserve does not satisfy the criteria after a reasonable period of time in which the Member State concerned could have taken measures to improve it, the site concerned "will no longer be referred to as a biosphere reserve which is part of the Network" (please refer to Article 9, paragraph 6 of the Statutory Framework). In practice this second means has never been used. To date, four countries have asked that non-functional sites be removed from the Network. The UK, for example, undertook a periodic review of all its sites with the biosphere reserve designation (dating from 1977). It recognized that four of these did not and could not meet the 1995 criteria and asked the ICC to remove them from the Network. This was hailed by the ICC as a positive result of the periodic review.

(4) Reduction in size of a biosphere reserve—There is no formal provision for this, but logically it should follow the same procedure as for an extension, which is given under Article 5.2. De facto, this means following the same procedure as for new nominations.

I trust this answers your questions satisfactorily: if you have any other questions, do not hesitate to contact us.

Yours sincerely,

N. ISHWARAN,
Director, Division of Ecological Sciences.

44TH ANNIVERSARY OF THE INDEPENDENCE OF THE REPUBLIC OF CYPRUS

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. BILIRAKIS. Mr. Speaker, I would like to take this opportunity to commemorate the 44th anniversary of the Independence of the Republic of Cyprus. On October 1, 1960, Cyprus became an independent republic after decades of British colonial rule.

The relationship between Cyprus and the United States is strong and enduring. Over the last decades, Cyprus and the United States have established close political, economic and social ties, developing a valued friendship. Cyprus and the United States share a deep and abiding commitment to democracy, fundamental human rights, free markets, and the ideal and practice of equal justice under law.

As the Republic of Cyprus celebrates its 44th Independence Day, I share the Cypriots' joy for having created a prosperous, open society based on solid foundations. Furthermore, I believe this is an opportunity for the United States of America and Cyprus to come closer together, as we stand united in our resolve to fight the battle on terrorism. As we move forward, I am confident that our friendship will continue well into the future.

IN HONOR OF ANN COONERTY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. FARR. Mr. Speaker, I rise today to honor Ann Coonerty in tribute of her 90th birthday. Ann is a native Californian and long

time resident of Santa Cruz County who continues to offer her services as an educator to our community. It is my pleasure to stand in this House and honor Ann's 90th birthday.

Ann McGinley Coonerty was born in Santa Maria, California on October 16th, 1914. She excelled in school and, at age 19, became the first woman in her family to earn a college degree. She graduated from U.C. Berkeley in 1934 with a teaching credential and a degree in mathematics; soon after, she began her teaching career in the Santa Maria area. In 1941, she took a break to marry Kevin Coonerty and start a family. When Kevin returned home from serving in World War II, he used the GI Bill to earn a degree in engineering. During this time, Ann tutored her husband in mathematics while raising their three children.

After Kevin began working for Rocketdyne in Southern California in 1953, Ann returned to teaching. In 1975 Ann and her family moved to Santa Cruz where she began working at Happy Valley Elementary School as a teacher's aide. Twenty-nine years later, she is quite simply an institution and an inspiration to parents, children and colleagues. Even today, as Ann approaches her 90th birthday, she plans to continue volunteering her time as an aide.

Mr. Speaker, I applaud Ann Coonerty's achievements, accomplishments, and her dedication to education. She has demonstrated a unique passion for family, community, and to her profession. Ann has devoted her life to teaching and tutoring students, a service for which our community is eternally grateful. I join the County of Santa Cruz, and friends and family in honoring this truly commendable woman.

THE RECOGNITION OF MAYOR WILLIAM ROSENBLATT

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. PALLONE. Mr. Speaker, I rise today to praise an exemplary individual, and a good friend, Mayor William Rosenblatt. I have known Mayor Rosenblatt for quite some time now, and, in this time, I have always been impressed by his commitment to his community, as well as his sense of obligation towards the preservation of our beaches. This weekend, he will be a deserving recipient of the 'Big Kahuna' award, presented by the Surfers' Environmental Alliance (SEA). As he receives this fitting tribute, I would like to take a moment and laud Mayor Rosenblatt for all that he has done for the beaches of New Jersey.

Born in Newark, New Jersey, Mayor Rosenblatt attended Montclair University, and after he received his masters degree from Rutgers University, he completed his post doctorate training at the Mind Body Institute at Harvard University. Previously he has served as the director of behavioral medicine at Monmouth Medical Center and an adjunct faculty member at Monmouth University, Rutgers University, and Kean University—just to name a few.

Mayor Rosenblatt has been surfing for 42 years, mostly in New Jersey. His commitment and love for the sport is exhibited in his membership to organizations such as Clean Ocean

Action and Surfers Medical Association. In addition, he is the proud co-founder of the Jersey Shore chapter of the Surfrider Foundation, and he sits on the National Board of Directors for the organization. As the Mayor of Loch Arbour for the last 7 years, William Rosenblatt has served proudly and has done a tremendous job. Time and time again, Mayor Rosenblatt has let his actions serve as an example for the rest of the community. By serving as beach captain for the Loch Arbour/Allenhurst Beach sweeps, and writing a surfing column in the Asbury Park Press for the last 3 years, few can deny this individual's obvious passion for the sport of surfing and adoration for our beaches.

The Surfers' Environmental Alliance, identifies a 'kahuna' as a "respected elder of the sport, a mentor to young surfers." This is a fitting description of Mayor William Rosenblatt, who is not only a mentor to young surfers, but also a highly regarded and respected leader in his community, as well as the sport of surfing. Mr. Speaker, once again, I congratulate my friend in receiving this honor and would like to commend the SEA for their work, and for recognizing the contributions of Mayor Rosenblatt.

PROPERTIES CONSIDERED SUITABLE AS ADDITIONAL WORLD HERITAGE SITES IN THE UNITED STATES

HON. RICHARD W. POMBO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. POMBO. Mr. Speaker, in 1972 the United States ratified "The Convention Concerning Protection of World Cultural and Natural Heritage" known as the World Heritage Convention. Since then 20 properties in the United States have been designated as World Heritage Sites and operated under a worldwide program administered by the United Nations Educational, Scientific and Cultural Organization (UNESCO) which is based in Paris, France.

World Heritage Sites in the United States were non-controversial until the Clinton administration and over-zealous environmental groups used Yellowstone National Park's World Heritage Site designation to stop a proposed gold mine located on private property outside the boundaries of the park. Many in Congress joined me in believing this mission creep of the World Heritage Convention was never envisioned when the United States ratified it over 30 years ago.

I have learned that the National Park Service, pursuant to Article 11 of the World Heritage Convention, has developed a "Tentative" or "Indicative" List of cultural and natural properties in the United States that it considers suitable for inclusion to the World Heritage List. Presently, this list contains 70 properties in over 30 States and the District of Columbia.

Based on the experience during the Clinton administration involving a proposed gold mine on private property located outside Yellowstone National Park, America must be very cautious when it proposes new areas for designation as World Heritage Sites. For example, I note the oil-rich Arctic National Wildlife Refuge is on the "Tentative List" as is the mineral-rich Cape Krusenstern Archaeological

District in Alaska. World Heritage Site designation of either area would jeopardize America's national security and international competitiveness.

Happily, the U.S. Department of the Interior believes the "Tentative List" needs to be updated for a variety of reasons. I encourage my colleagues to read the following letter from Deputy Assistant Secretary of the Interior Paul Hoffman as well as the present "Tentative List."

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, August 13, 2004.

Hon. RICHARD POMBO,
House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter of July 13, 2004, requesting information about the United States Indicative Inventory of Potential Future United States Nominations to the World Heritage List. As you know, the Department of the Interior, through the National Park Service, directs and coordinates the United States participation in the World Heritage Convention in accordance with the statutory mandate of Title IV of the National Historic Preservation Act Amendments of 1980 as implemented by Federal regulations (36 CFR 73).

The Indicative Inventory, prepared by the National Park Service in the early 1980s, was developed in compliance with Article 11 of the Convention, which calls on participating nations to submit to the World Heritage Committee an inventory or tentative list of cultural and natural properties that it considers suitable for inclusion in the World Heritage List. The purpose of these tentative lists is to enable the Committee to evaluate within the widest possible context the "outstanding universal value" of each property nominated to the List. Inclusion on a country's tentative list is required before properties can be nominated to the World Heritage List. However, a listing in the inventory does not confer World Heritage status on the property in question; it merely indicates that a property may be further examined for possible nomination in the future.

The complete U.S. Indicative Inventory was published in a Federal Register notice on May 6, 1982. The full notice, including a description and location for each listed property, is enclosed for your review. Subsequently, two properties were added to the inventory: Haleakala National Park in Hawaii, added in 1983; and Taliesin West, Frank Lloyd Wright's winter studio in Arizona, added at the request of the Frank Lloyd Wright Foundation, in 1990. The two additions were made by the respective Assistant Secretaries of the Interior for Fish and Wildlife and Parks at the time, on the recommendation of the Federal Interagency Panel for World Heritage, in accordance with the procedures outlined in Federal regulations (36 CFR 73) for implementation of the World Heritage program in the United States. Although conceived as a "rolling list" to which additions or deletions could be made, no other changes to the Inventory have ever been made.

The inventory was compiled by the National Park Service with input from a wide variety of sources, including Federal and State agencies, elected Congressional and State representatives, private industry, conservation and preservation organizations, academic institutions, local governments, and individuals. A draft of the inventory was published for comment in 1981; the comments received were summarized in the subsequent 1982 notice. Scholarly and scientific evaluation was the basis for selecting the properties listed in the inventory.

While the NPS does not have documentation on who suggested which sites should be included in the U.S. Indicative Inventory, we believe NPS units were recommended by the park superintendents and that non-Federal properties were suggested by their respective owners. U.S. law requires that all property owners of record of a site (1) concur with the nomination of their site and (2) that they commit to preserving their site in perpetuity.

For a variety of reasons, including its desire to achieve a more balanced and representative World Heritage List by stepping aside to give greater opportunity to other countries with few or no sites yet designated, the United States has not submitted any further nominations since 1994. As stated in the 1982 Federal Register notice, the inventory was intended as a preliminary list of properties that appear to qualify for nomination to the World Heritage List and that may be considered for nomination during the next ten years. From the time when the inventory was published until the United States made its most recent World Heritage nomination in 1994, thirteen of the properties included in it were nominated and listed by the World Heritage Committee.

After much consideration, it is our view that the current Indicative Inventory is out of date and should be revised for a variety of reasons, such as the changing views of heritage and concerns about the geographic and thematic representativity of the World Heritage List. Even the approach taken to creating the list now appears outdated. We intend to begin the process of revision early next year and will keep you informed and look forward to your input as we proceed.

Thank you again for your interest. Please contact me if you have any further questions.

Sincerely,

PAUL ROFFMAN,
Deputy Assistant Secretary
for Fish and Wildlife and Parks.

Enclosure.

POTENTIAL U.S. NOMINATIONS FROM THE
TENTATIVE LIST (COMPLETE TEXT)
INDICATIVE LIST, UNITED STATES (BY STATE)
Alabama

Moundville Site

Alaska

Aleutian Islands Unit of the Alaska Maritime National

Wildlife Refuge (Fur Seal Rookeries) C(vi); N(ii)

Arctic National Wildlife Refuge

Cape Krusenstern Archaeological District

Denali National Park

Gates of the Arctic National Park

Glacier Bay National Park and Preserve inscribed 1992

Katmai National Park

Wranaell-St. Elias National Park and Preserve inscribed 1979

Arizona

Casa Grande National Monument

Grand Canyon National Park inscribed 1979

Hohokam Pima National Monument

Lowell Observatory

Organ Pipe Cactus National Monument

Saguaro National Monument

San Xavier Del Bac

Taliesin West [added 17 Aug 90]

Ventana Cave

California

Joshua Tree National Monument

Point Reyes National Seashore/Farallon Islands National

Wildlife Refuge

Redwood National Park inscribed 1980

Sequoia/Kings Canyon National Parks

Yosemite National Park inscribed 1984

California/Nevada

Death Valley National Monument

Colorado

Colorado National Monument

Mesa Verde National Park inscribed 1978

Lindenmeier Site

Rocky Mountain National Park

District of Columbia

Chapel Hall, Gallaudet College

Washington Monument

Florida/Georgia

Everglades National Park inscribed 1979

Okefenokee National Wildlife Refuge

Georgia

Ocmulgee National Monument

Savannah Historic District

Warm Springs Historic District

Hawaii

[Haleakala National Park added 21 Aug 83]

Hawaii Volcanoes National Park inscribed 1987

Pu'uuhonua O Honaunau National Historical Park

Illinois

Auditorium Building, Chicago

Cahokia Mounds State Historic Site inscribed 1982

Carson, Pirie, Scott and Company Store, Chicago

Eads Bridge, Illinois-St. Louis, Missouri

Frank Lloyd Wright Home and Studio

Leiter II Building, Chicago

Marquette Building, Chicago

Reliance Building, Chicago

Robie House, Chicago

Rookery Building, Chicago

South Dearborn Street-Printing House Row

North Historic District

Unity Temple, Oak Park

Indiana

New Harmony Historic District

Louisiana

Poverty Point

Maine

Acadia National Park

Massachusetts

Goddard Rocket Launching Site

Missouri

Wainwright Building, St. Louis

Montana

Glacier National Park inscribed 1995

New Jersey/New York

Statue of Liberty National Monument inscribed 1984

New Mexico

Carlsbad Caverns National Park inscribed 1995

Chaco Culture National Historical Park inscribed 1987

Pecos National Monument

Taos Pueblo inscribed 1992 Trinity Site

New York

Brooklyn Bridge

General Electric Research Laboratories, Schenectady

Prudential (Guaranty) Building, Buffalo

Pupin Physics Laboratory, Columbia University

Original Bell Telephone Laboratories

North Carolina/Tennessee

Great Smoky Mountains National Park inscribed 1983

Ohio

Mound City Group National Monument

Oregon

Crater Lake National Park

Pennsylvania

Fallingwater

Independence National Historic Site inscribed 1979

Texas

Big Bend National Park
Guadalupe Mountains National Park
Utah

Arches National Park
Bryce Canyon National Park
Canyonlands National Park
Capitol Reef National Park
Rainbow Bridge National Monument
Lion National Park

Virginia

McCormick Farm and Workshop
Monticello inscribed 1987
University of Virginia Historic District inscribed 1987
Virginia Coast Reserve

Washington

Mount Rainier National Park
Olympic National Park inscribed 1981
North Cascades National Park

Wisconsin

Taliesin

Wyoming

Grand Teton National Park
Wyoming/Montana

Yellowstone National Park inscribed 1978
Puerto Rico

La Fortaleza-San Juan National Historical Site inscribed 1983

These sites are further detailed in the following Public Notice in the Federal Register (47 FR 9648), as amended by 48 FR 38101 and 55 FR 33781).

IN HONOR OF BUTCH VORIS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. FARR. Mr. Speaker, I rise today to honor Roy Marlin "Butch" Voris, the founder of the Blue Angels.

After graduating from Salinas Junior College in 1939, Mr. Voris entered the Navy in 1941. In February of 1942 he was commissioned an ensign and designated a naval aviator. Mr. Voris was deployed in the Pacific theater of World War II, where he flew both Grumman F4F "Wildcat" and Grumman F6F "Hellcats." He was a talented pilot, earning the "fighter ace" status, and a respected commander of Fighter Squadron 113, Fighter Squadron 191, and Attack Carrier Air Group 5. For his service and sacrifices to his country, Mr. Voris earned three Distinguished Flying Crosses, 11 Air Medals, three Presidential Unit Citations, and the Purple Heart.

When the Secretary of the Navy and the Chief of Naval Operations created a Navy flight exhibition team in 1946 to demonstrate precision fighter maneuvers at Navy air shows and other public events, they naturally chose Captain Voris to be the first Officer-in-Charge and Flight Leader. After selecting his fellow pilots and maintenance personnel from the Navy's best officers and sailors, he modified the Grumman F6F "Hellcat" and painted it the now famous blue and gold. Captain Voris flew with the Blue Angels on their first tour, and again in 1951, before retiring from the Navy in 1963.

Mr. Speaker, I applaud Captain "Butch" Voris' years of service to our country and

amazing accomplishments. He is an American hero who has made a remarkable contribution to the world of aviation, which we are lucky enough to continue to enjoy today. I join with the thousands of attendees to the California International Air Show in Salinas, and dozens of former Blue Angel pilots, in honoring this talented man and his many achievements.

CYPRUS

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. BILIRAKIS. Mr. Speaker, I rise today to submit for the CONGRESSIONAL RECORD an excerpt from the recent (9/23/04) address by the President of the Republic of Cyprus, Mr. Tassos Papadopoulos, to the General Assembly of the United Nations. In his remarks, President Papadopoulos eloquently outlined his concerns about the U.N. proposed plan, and his hopes for peace and reunification for Cyprus.

I would like to emphasize how proud we are that Cyprus is now a full member of the European Union. The European Union has outlined an extensive set of priorities for this Session of the General Assembly. As the statement delivered by the Dutch Presidency has delineated these priorities, I will not elaborate on them any further.

This year marks 30 years since the occupation of 37% of Cyprus' territory as a result of the invasion of the island by Turkish troops. It also marks 30 years of relentless efforts by the Greek Cypriots to achieve a just and peaceful settlement, with the support of the international community, to which I would like here to express our deep appreciation.

The Greek Cypriot side has repeatedly demonstrated in the past thirty years, its readiness to move forward by making many painful sacrifices and concessions, while the Turkish Cypriot leadership always lacked the necessary political will. The quest and eagerness of Greek Cypriots for a solution never meant, however, that they would accept any settlement proposed to them nor that they would be ready to embark on an adventure, in all probability condemned to failing, with irreversible consequences.

The latest effort by the UN Secretary-General to solve the Cyprus problem resulted in a Plan, which, by some was described as a historic opportunity to solve one of the longest standing international problems. I will only briefly outline why, despite the hard work invested in the process by all involved, the end product of this effort was judged to be inadequate and fell short of minimum expectations from a settlement for Greek Cypriots.

Firstly, the Annan Plan was not the product of negotiation nor did it constitute an agreed solution between the parties. Secondly, the Plan did not place the necessary emphasis on achieving a one State solution with a central government able to guarantee the single sovereign character of Cyprus. Thirdly, it failed to address the serious concerns of the Greek Cypriot Community regarding their security and effective implementation of the Plan.

In rejecting the Plan as a settlement for the Cyprus problem the Greek Cypriots did not reject the solution or the reunification of their country. They have rejected this particular Plan as not effectively achieving this objective. We remain committed to a solution which will ensure the reunification of the country, its economy, and its people.

We are committed to reaching a solution on the basis of a bi-zonal, bi-communal federation. However, there are a number of essential parameters the Greek Cypriot Community insist this solution to be founded on. The withdrawal of troops and settlers and the respect of human rights for all Cypriots, the underlying structures for a functioning economy, the functionality and workability of the new state of affairs, the just resolution of land and property issues in accordance with the decisions of the European Court of Human Rights, and the respect of the right of return of refugees. To this end, we welcome the recent Pinheiro Progress Report on property restitution in the context of the return of refugees and internally displaced persons.

Simultaneously, it pains me to bring to your attention, Mr. President, that certain provisions of the Annan Plan have encouraged an unprecedented unlawful exploitation of occupied properties in northern Cyprus, something alluded to even in statements by officials of the occupying power itself.

The most paramount feature of any settlement is the ability to install a sense of security to the people. The mistakes of the past must not be repeated. Cyprus must in its future course, proceed without any grey areas with regard to its sovereignty or its relation to third states. If the people feel that their needs have not formed the basis of any solution reached or that the characteristics of this solution have been dictated by the interests of third parties, then this solution will unsurprisingly be bypassed. Indeed, the spirit and practice of effective multilateralism not only encompasses, but also derives from, the comprehension and consideration of local realities and particulars, on which it must then proceed to formulate proposals.

This should not be interpreted by third parties as a lack of will to solve the Cyprus problem. Instead, it must be unequivocally understood that the people who will have to live with this solution are in the best position to judge what is suitable for them, that it is imperative for the people to be called upon to ratify any plans that are drawn to this effect, and that their verdict must be respected.

In the framework of the European Union, and with the aim of promoting reunification and reconciliation, my Government, despite the obstacles placed by the current status quo, is consistently pursuing policies aiming to enhance the economic development of the Turkish Cypriots. While not intended to serve as a substitute for a solution, such policies are in our view the most effective way to foster the maximum economic integration of the two Communities, and increase contact between them, so as to ensure the viability of a future solution.

Responding to the expanding possibilities on the ground, we have intensified our efforts to ameliorate the situation and seek ways to benefit citizens. In this context, my

Government has recently proposed the withdrawal of military forces from sensitive areas and refraining from military exercises, the opening of eight additional crossing points across the cease fire line and the facilitation of the movement of persons, goods and services across the Green Line, as well as the extension of the so far unilateral demining process initiated by my Government.

We have also declared our readiness to make special arrangements whereby Turkish Cypriots will utilize Larnaca Port for the export of their goods. Furthermore, subject to the area of Varosha being returned under the control of the Government of Cyprus and to its legitimate inhabitants, we could accommodate the lawful operation of the port of Famagusta.

The Cyprus problem is not always perceived in its correct parameters. The fact remains that this problem is the result of a

military invasion and continued occupation of part of the territory of a sovereign state. This fact should not be conveniently overlooked in people's perception, by concentrating on peripheral parameters. Any initiative to solve the problem must have at its core, this most basic and fundamental fact and be based on the premise that international legality must be served and the occupation lifted.

Unfortunately, the fundamentals of the situation on the ground remain unchanged for the past 30 years since the Turkish invasion in Cyprus. This situation is one comprising of severe violations of the most fundamental human rights. The yet unresolved issues of the missing persons, an issue of a purely humanitarian nature, as well as that of the enclave of the Karpass peninsula, are in themselves an indication of Cyprus' enduring suffering. This should not only point towards the specifics of the solution to be pursued but must also guide our actions with regard to managing the current status quo. For instance, the United Nations Force in Cyprus (UNFICYP), assigned with the task to manage the status quo inflicted 30 years ago, should remain specific to the situation on the ground.

The accession of Cyprus to the European Union, in conjunction with the lack of an agreement on the settlement of the Cyprus problem, in spite of our efforts and our preference for a settlement prior to accession, signifies the end of an era and the beginning of a new one. I firmly believe that the new context defined by the accession of my country to the EU and by the expressed will of Turkey to advance on the European path offers a unique opportunity and could have a catalytic effect in reaching a settlement in Cyprus. Our vocation is to be partners and not enemies.

Hence, in this new era, we plea to Turkey, to join us in turning the page and seeking ways to mutually discover, mutually beneficial solutions to the various aspects that compose the Cyprus problem. The mere realization that peace and stability in our region serve the interests of both our countries is ample evidence to prove that what unites us is stronger than what divides us.

THE RECOGNITION OF COMMISSIONER BRADLEY M. CAMPBELL

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. PALLONE. Mr. Speaker, I rise today to acknowledge the work and tireless efforts of Commissioner Bradley M. Campbell. In the time that I have known Commissioner Campbell, I have found him to be a man of great integrity, courage, and dedication towards everything he does. This weekend, Mr. Campbell will be the recipient of the "Big Kahuna" award from the Surfers' Environmental Alliance. As New Jersey's Environmental Commissioner, I can say with great certainty, that through his work, Bradley Campbell is a truly deserving recipient of such an award.

In surfing circles a Kahuna is recognized as a respected elder of the sport, and a mentor to young surfers. Past recipients of the award have included surf shop owners, surf team managers, athletes or leaders in various environmental initiatives that have championed the sport. All these individuals have two things in common—they have had a great love and respect for the sport of surfing, and they have—

in their own ways—encouraged and preserved the sport for everyone to enjoy.

Commissioner Campbell is truly an advocate for the sport of surfing as well as various environmental causes that are significant to surfers, as well as all individuals who care about the preservation of our beaches and the well being of our environment. Through his position as Commissioner of the Department of Environmental Protection, he has strengthened New Jersey's environmental laws and greatly improved the quality of our state's natural resources. Prior to assuming his position as Commissioner, Brad had a distinguished record of service, which included serving as the Associate Director of the White House Council on Environmental Quality (CEQ), and later, being appointed by President Clinton as the Regional Administrator (Mid-Atlantic Region) of the Environmental Protection Agency.

Mr. Speaker, once again I ask that my colleagues join me in congratulating Commissioner Campbell on his award, and I would like to extend my gratitude for all his years of hard work and genuine commitment.

MARRIAGE PROTECTION AMENDMENT

SPEECH OF

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 30, 2004

Ms. ESHOO. Mr. Speaker, I come to the floor today to express my strong opposition to what is an assault on our Constitution, H. J. Res. 106, the Marriage Protection Amendment.

Constitutional amendments can never be taken lightly. Our Constitution has been amended only twenty-seven times in the two centuries since our country was founded, but it's never been amended to limit the civil rights of a specific group of people as we are doing here today.

Few policy issues are more grounded in the jurisdiction of the fifty states than the laws of marriage. As Vice President CHENEY said in a recent interview, "Historically, that's been a relationship that's been handled by the states," and "States have made the basic fundamental decision [as to] what constitutes a marriage." I agree with the Vice President. Should this legislation pass, not only would state courts be prohibited from recognizing same-sex marriages, but states would also be prohibited from enacting legislation to grant same-sex marriages through referendum, ballot initiative, or even through their own state constitutional amendment process, even in states where the majority supports it.

As I strongly oppose the content of this legislation, the Majority's motivation to consider it today is raw politics. Bringing this legislation up weeks before our national elections, divides this nation even further at a time when critical issues and needs must be addressed. We should be using this time to focus on the recommendations of the 9/11 Commission; on the restructuring of our intelligence community; on protecting our ports, nuclear facilities and other potential targets from terrorists; on the rising health care costs in this country; on the loss of jobs throughout this country; on reducing our spiraling budget deficit; or on the rap-

idly deteriorating situation in Iraq. Instead, one month before the election, we're debating an amendment to our Constitution that has no hope of enactment, but merely because the Republican Majority believes they will be able to score points with this ill-begotten bill.

Mr. Speaker, I urge my colleagues to oppose this legislation and get back to work on the critical needs facing America.

TRIBUTE TO CARL OSTROM

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. McDERMOTT. Mr. Speaker, I rise today to ask the House to join with me to recognize and honor 86-year-old Carl Ostrom, from Seattle. The nationally acclaimed non-profit "Experience Works," which recognizes outstanding contributions by seniors in its annual Prime Time Awards Program, selected Mr. Ostrom as their 2004 Outstanding Older Worker from the State of Washington. It is an honor well deserved.

Mr. Ostrom helps to make the world a better place through his leadership at the University District Food Bank in Seattle, which assists 800 families every week.

Mr. Ostrom serves as the part-time operations manager, overseeing the critical work of delivery and distribution of food. Remarkably, Carl Ostrom has been involved with the University District Food Bank for 17 years.

Carl's unselfish deeds and extraordinary commitment to give back to his community are an inspiration. Carl Ostrom proves, again, that senior citizens can make lifelong contributions to their community and their country. I congratulate Carl Ostrom for being selected the 2004 Outstanding Older Worker in the State of Washington, and I look forward to his continued role in making the world a better place.

MARRIAGE PROTECTION AMENDMENT

SPEECH OF

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 30, 2004

Mr. WAXMAN. Mr. Speaker, I rise in strong opposition to House Joint Resolution 106, which would deny basic rights under the Constitution to gays and lesbians. This resolution is a cynical ploy to foster division and diversion for the election campaign. Even its strongest proponents know it has no chance of passing.

Two short months ago, the House passed unprecedented legislation that would strip the federal courts of the ability to decide the constitutionality of The Defense of Marriage Act. And today the House will vote on whether to use the very document that guarantees our liberties and protections to restrict the rights of one group of Americans.

Throughout U.S. history, the states have been responsible for marriage and family law. Thirty-eight states have already acted to define marriage as the union of a man and woman and no state has adopted legislation

that would define marriage differently. This year alone, voters in eleven states will consider amendments to their state constitutions barring gay marriage.

The charade on the House floor today is a strategy to change the subject, and I certainly can't blame the Republican Party for wanting to distract voters from their record. That is why the Republican leadership bypassed the committee of jurisdiction and brought H.J. Res. 106 directly to the floor in the middle of the campaign season.

THE INAUGURATION OF A NEW PRESIDENT AT MIDDLEBURY COLLEGE

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. SANDERS. Mr. Speaker, it is with great pleasure that I recognize the October 10th inauguration of Dr. Ronald D. Liebowitz as the sixteenth president of Middlebury College. Middlebury is one of the nation's finest liberal arts colleges. We in Vermont are proud that we have, in our midst, a beacon of learning for students all across the nation.

Dr. Liebowitz was chosen as Middlebury's forthcoming president after a five-month search during which 400 prospective candidates were reviewed. Despite the fact that the prestigious position attracted many of the nation's foremost educators, Middlebury selected one of its own, the third time it has chosen a member of its faculty to head the institution. His able predecessor, John McCardell, was also a longtime faculty member when he became president in 1992, and Dr. McCardell's thirteen-year leadership has amply confirmed Middlebury College's confidence that its own faculty have some of the finest minds and some of the most humane administrative abilities that can be found in the entire nation.

A professor of geography, Dr. Liebowitz is a widely recognized authority on Russian economic and political geography. Dr. Liebowitz has served as provost and executive vice president of Middlebury College since 1997. Earlier, he served for two years as dean of the faculty. During his administrative years he played a significant leadership role in the internationalization of the curriculum, including the introduction of innovative interdisciplinary, team-taught senior seminars in international studies, the establishment of a new major in international studies, and the strengthening of the program in international politics and economics.

We in Vermont welcome his leadership as he shepherds this outstanding college into the future. We look forward to a rich partnership as Middlebury brings its student and faculty resources to bear on helping us address Vermont's, and the nation's, problems and priorities. And in these difficult times, we have confidence that Middlebury's long-standing choice to focus on international affairs will educate yet more generations of students to look outward, to recognize that they have a dual obligation: to work for domestic justice by helping those in America who are less fortunate than themselves, and to work for international justice by giving support to foreign na-

tions as they attempt to realize social justice for their own citizens.

RECOGNIZING THE 100TH ANNIVERSARY OF THE BELLEVILLE SHOE MANUFACTURING COMPANY

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the 100th Anniversary of the Belleville Shoe Manufacturing Company located in my hometown of Belleville, Illinois.

Founded in 1904, Belleville Shoe produced their first military footwear for World War I in 1917 and continues providing footwear to each branch of our Nation's military and law enforcement personnel.

The original group of investors for Belleville Shoe was of German descent: Adolph Knobloch, H.E. Leunig, Joseph Reis, James Rentchler, and William Weidmann. Reis was named president, but it was Weidmann, the company's secretary-treasurer, who had introduced the shoe-factory idea. The company began operations in the former Rentchler machine shops at East B and Delmar streets. Born in Belleville, William Weidmann was one of eight children of a German immigrant couple. His parents arrived in the area in the second half of the nineteenth century. By the time he was gathering investors for the company, he and his wife Caroline (Leunig) had two sons, William and Walter.

In the same year that Belleville Shoe was incorporated, Walter graduated from the St. Louis Manual Training School. Soon thereafter, he joined the company as the operational manager. Walter directed Belleville Shoe's operations successfully through the Great Depression, World War II, and into the 1950s. Through the 1960s, 1970s, and into the mid-1980s, Walter's son, Homer Weidmann led the company. Today, William Weidmann's great-grandson, Eric R. Weidmann, is the president.

In its beginnings, the Belleville Shoe Company produced everyday footwear for men and boys. During World War I, the company produced its first line of combat boots for the military. With the end of World War I, the factory again started producing more than 25 styles of shoes. During this time, the company became the first in the Belleville area to offer worker incentives and daily attendance was rewarded with profit bonus and a life insurance policy.

By the time Belleville Shoe celebrated its 25th anniversary, the company employed 300 people and manufactured about two thousand pairs of shoes daily. Like many companies in that day, Belleville Shoe struggled during the Depression—it was a military contract, which was again awarded to produce military footwear for World War II, that brought the company back to the heavy production schedules it had during World War I.

By the end of World War II, Belleville Shoe had earned an award for continued on-time delivery throughout the conflict. It was during this period that the strong relationship with our Nation's military was forged, permitting Belleville Shoe's claim to be "the country's oldest and largest supplier of military footwear."

From 1940 to the present, Belleville Shoe Manufacturing has provided a continual flow of military boots to various divisions of the nation's armed forces.

In terms of its dress shoe production lines, from the 50's up until the 70's, Belleville Shoe experienced significant declines in production of dress shoes. During the 70's, Belleville Shoe increased production of their sports shoe lines. These sport lines of track, baseball and football shoes were produced in Belleville and sold under the Rawlings brand name. By the mid-1980s, however, shoe imports of all types increased in the United States, particularly sports shoes and Belleville Shoe began to focus exclusively on military products. Production needs during this time also increased the requirements for additional space and heavier equipment to produce larger quantities of military shoes. In 1986, a new facility was opened in the Belle Valley Industrial Park in Belleville to accommodate this production.

During Operation Desert Storm in the early 1990s, Belleville Shoe was again called upon to dramatically increase the military's supply of footwear. The design and material of the traditional black all-leather combat boot was changed to suit the conditions in the Persian Gulf. A desert-colored, suede and nylon boot with insulation to protect against the desert heat was created and shipped out. These boots are in use today in operations in the middle-east and throughout the world.

In this, its 100th year, Belleville Shoe is the largest supplier of military boots to our U.S. Armed Forces. With two plants, one in Belleville, Illinois and DeWitt, Arkansas, the company is producing over 1,000,000 pairs of shoes annually.

And today, as in 1917, their boots are Made in the USA. Wherever U.S. military forces have walked, Belleville Shoe footwear has been on duty.

Mr. Speaker, I ask my colleagues to join me in recognizing the 100th Anniversary of the Belleville Shoe Company, its Company President Eric Weidmann and all of the men and women at Belleville Shoe Manufacturing Company.

IN RECOGNITION OF THE EIGHTH AVENUE SENIOR CENTER'S 11TH ANNIVERSARY CELEBRATION

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Ms. VELÁZQUEZ. Mr. Speaker, I rise today on the floor of the U.S. House of Representatives to recognize the 11th anniversary of the Brooklyn Chinese American Association's Eighth Avenue Senior Center.

The Eighth Avenue Senior Center is part of the Brooklyn Chinese-American Association (BCA), which has been serving the growing Asian-American population in the Sunset Park, Borough Park, and Bay Ridge communities of Brooklyn for the past 17 years, as a human services and community development organization.

Today, the BCA's Eighth Avenue Senior Center touches the lives of over 3,000 elderly residents in the area, and offers services to over 250 seniors on a daily basis. The center provides older Asian-Americans with a variety

of enriching educational programs and recreational activities.

Over the past 11 years, the Eighth Avenue Senior Center has integrated a variety of services integral to this elderly population, which it otherwise would not have had access to. This includes providing meals, bilingual information, English and citizenship classes, health services, and housing assistance.

This center also plays an important role in coordinating town hall meetings, assisting senior members in meeting their housing needs, and educating the community on the importance of exercising their voting rights. Because of these services, the Eighth Avenue Senior Center creates a sense of community and enhancement for the elderly population living in Brooklyn.

Therefore, Mr. Speaker, I rise today to honor the 11th anniversary of the Eighth Avenue Senior Center, and join with my colleagues in the House of Representatives to recognize their outstanding service to the elderly Asian-American population in Brooklyn.

NUCLEAR MEDICINE WEEK

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. MORAN of Virginia. Mr. Speaker, Mr. WOLF and I rise today to remind our colleagues that this week, October 3 through October 9, is Nuclear Medicine Week. Nuclear Medicine Week is the first week in October every year and is an annual celebration initiated by the Society of Nuclear Medicine. Each year, Nuclear Medicine Week is celebrated internationally at hospitals, clinics, imaging centers, educational institutions, corporations, and more.

We are particularly proud to note that the Society of Nuclear Medicine is headquartered in Reston, Virginia. The Society of Nuclear Medicine is an international scientific and professional organization of more than 15,000 members dedicated to promoting the science, technology and practical applications of nuclear medicine. We commend the Society staff and its professional members for their outstanding work in the field of nuclear medicine and for their dedication to caring for people with cancer and other serious and life-threatening illnesses that can be diagnosed, managed, and treated with medical isotopes via nuclear medicine procedures.

With nuclear medicine, health care providers can use a safe, noninvasive procedure to gather information about a patient's condition that might otherwise be unavailable or have to be obtained through surgery or more expensive diagnostic tests. Nuclear medicine procedures often identify abnormalities very early in the progression of a disease—long before some medical problems are apparent with other diagnostic tests. This early detection allows a disease to be treated early in its course, when there may be a more successful prognosis.

An estimated 16 million nuclear medicine imaging and therapeutic procedures are performed each year in the United States. Of these, 40–50 percent are cardiac exams and 35–40 percent are oncology related. Nuclear medicine procedures are among the safest di-

agnostic imaging tests available. The amount of radiation from a nuclear medicine procedure is comparable to that received during a diagnostic x-ray.

Nuclear medicine tests, also known as scans, examinations, or procedures, are safe and painless. In a nuclear medicine test, small amounts of medical isotopes are introduced into the body by injection, swallowing, or inhalation. A special camera, PET or gamma camera, is then used to take pictures of your body. The camera does this by detecting the medical isotope in the target organ, bone or tissue and thus forming images that provide data and information about that area of your body. This is how nuclear medicine differs from an x-ray, ultrasound or other diagnostic test—it determines the presence of disease based on function rather than anatomy.

Recently, the Centers for Medicare & Medicaid Services announced its decision to approve coverage of positron emission tomography or PET for Medicare beneficiaries who have suspected Alzheimer's disease. This decision will allow physicians to obtain an early and more definitive diagnosis and to begin treatment at the time when it provides the best chance of prolonging cognitive function for our Medicare beneficiaries.

Some of the more frequently performed nuclear medicine procedures include:

Bone scans to examine orthopedic injuries, fractures, tumors or unexplained bone pain;

Heart scans to identify normal or abnormal blood flow to the heart muscle, measure heart function or determine the existence or extent of damage to the heart muscle after a heart attack;

Breast scans that are used in conjunction with mammograms to more accurately detect and locate cancerous tissue in the breasts;

Liver and gallbladder scans to evaluate liver and gallbladder function;

Cancer imaging to detect tumors and determine the severity, staging, of various types of cancer;

Treatment of thyroid diseases and certain types of cancer;

Brain imaging to investigate problems within the brain itself or in blood circulation to the brain; and

Renal imaging in children to examine kidney function.

Unfortunately, the field of nuclear medicine is not attracting enough incoming students to fill the current demand for nuclear medicine technologists—usually called NMTs. Currently, there is approximately an 18 percent vacancy of NMTs as determined by the American Hospital Association, AHA. By 2010, the Bureau of Labor Statistics, BLS, projects that the U.S. will need an additional 8,000 NMTs to fill the projected demand created by the aging workforce and expanding senior population. Over the next 20 years, the BLS expects that there will be a 140-percent increase in the demand for imaging services. The use of diagnostic imaging services has been increasing by approximately 4 percent a year, even as the number of certified NMTs and registered radiologic technologists has remained stable. As a result, imaging technologists often work longer shifts, and patients can face weeks of delay for routine exams.

A similar situation is developing for nuclear medicine physicians. According to the American Board of Medical Specialties, there currently are 4,087 certified nuclear medicine

physicians in the United States. At the same time, the number of physician training programs is also declining, exacerbating the future shortage.

Over the next 20 years, the number of people over the age of 65 is expected to double at the exact same time when the Nation will face shortages of medical personnel—including nurses, NMTs, physicians, laboratory personnel, and other specialists. With an increasing number of people needing specialized care—such as nuclear medicine-coupled with an inadequate workforce, our Nation quickly could face a healthcare crisis of serious proportions with limited access to quality cancer care, particularly in traditionally underserved areas.

We encourage our colleagues to support Nuclear Medicine Week and to support increased funding for programs so that our nation will have a sufficient supply of nuclear medicine physicians and technologists to care for all patients in need of nuclear medicine procedures and related care.

TRIBUTE TO STEPHEN SCOTT ABERNATHY

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. PENCE. Mr. Speaker, I rise today to pay tribute to the life of Stephen Scott Abernathy of Centerville, Indiana. He died on Saturday, September 25, 2004 of injuries resulting from a motorcycle accident.

Upon graduating from Centerville High School in 1995, Scott nobly served four years with the United States Marine Corps, where he joined the rugby team. He served as the assistant wrestling coach at Avon High School from 1999–2001 and graduated magna cum laude from Indiana University in 2003.

Scott settled back in Wayne County and became a member of American Legion Post 18 and the Centerville Christian Church.

Mr. Speaker, I express my heartfelt condolences as well as those of the United States Congress to Scott's parents, Stephen and Barbara; his brother, David of Richmond; his niece, Kaytlyn; and his grandparents, James and Josephine Williamson of Munster, Indiana.

Stephen Scott Abernathy was a role model for all Americans and led a life of great quality. All those who knew him well will sorely miss him.

IN HONOR OF THE OPENING OF THE RUBIN MUSEUM OF ART

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. NADLER. Mr. Speaker, it is my great pleasure to rise today to commemorate the opening of New York's newest museum, located in my Congressional District in Manhattan's Chelsea neighborhood. The Rubin Museum of Art (RMA), a cultural and educational institution dedicated to the art of the Himalayan region, opens this week with a series of fascinating exhibitions and programs.

With a collection spanning the 2nd to 19th Centuries, combining a variety of artistic mediums from paintings to stone sculptures and textiles, this museum will showcase a diverse and vast compilation of historical and sacred art. The inaugural exhibitions are certainly a testimony to the comprehensiveness of this artistic display. Each of the Museum's six floors and theater level gallery features a different exhibit, with educational wall texts and interpretive panels providing another dimension of thought and understanding for both the casual and more experienced museumgoer. The Museum is also home to a state-of-the-art theater, a classroom, and a space for contemporary and historical photography.

RMA's commitment to serving a broad and diverse audience is further evidenced by the wide range of programs offered. RMA has established an innovative Museum Campus program through which it has forged working relationships with the colleges and universities in downtown Manhattan. The Museum's educational programs bring arts education to many public schools and students from underserved communities. Among the future scheduled events are ArtTalks with the Museum's chief curator, Caron Smith, as well as lectures by noted art historians and professors, and poetry and music by contemporary artists.

I am pleased to congratulate the Rubin Museum of Art and all those whose contributions and efforts made the opening of this creative and new enriching cultural center possible, especially the founders Donald and Shelley Rubin. Lifelong New Yorkers, they have been assembling what is now America's largest collection of Himalayan art for over 25 years. Their desire to give back to the City that they love benefits not only New York and its visitors but the world at large. I am proud to join the artistic community of New York in the celebration of the Rubin Museum of Art and its mission of establishing, preserving and presenting to the public a permanent collection of Himalayan art, which accurately reflects its vitality, complexity and historical significance.

HONORING THE BALDWIN SENIOR CENTER AS THEY CELEBRATE THEIR 25TH ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Ms. DeLAURO. Mr. Speaker, it is with great pleasure that I rise today to extend my sincere congratulations to the Baldwin Senior Center Stratford, Connecticut, as they celebrate their 25th Anniversary. This is a remarkable milestone for an organization dedicated to enriching the lives of Stratford's seniors.

Senior centers play a vital role in our communities and this is especially true of the Baldwin Senior Center. All too often, what are supposed to be one's "golden years" are filled with struggles. Health concerns, increasing health care costs, the loss of independence—these are just some of the challenges our seniors face. Perhaps even more devastating is the sense of loneliness that can come as one moves through their later years. Providing invaluable programs and services, senior centers make a real difference in the lives of some of our most vulnerable citizens. That is

why they are so important to our seniors and our communities.

In addition to regular daily activities—which include bingo, book discussions, yoga, quilting classes, and oil painting—the Baldwin Senior Center offers unique opportunities for seniors to get involved with their community. Their knitting/crocheting group made over two dozen hats, scarves, and mittens which were donated to Stratford's South End Community Center. Over 120 seniors and students from Bunnell High School participated in a "Senior Prom" as a fundraiser for the Relay for Life, the American Cancer Society's annual funding drive. The Community Service group organized a project during the summer which had seniors reading books to youngsters from the town's minority center. And seniors sponsored a cupcake bake sale, using the proceeds to buy books which they brought to the South End Community Center. All of these activities ensure that the seniors stay active and involved which makes all the difference—both in their lives and those of many others.

Just as important as the activities are the services which are provided at the Center. Executive Director Diane Puterski is joined by several dedicated staff who work hard to ensure Stratford's seniors have access to the care and benefits they need. Outreach Coordinator Marie Gunman provides services to homebound adults and those who choose not to use the Center by making home visits to people needing information or who are referred to the Center by other agencies as being in need. Lisa Stone manages the program which provides help with entitlements and benefits including Medicare, energy assistance, Medigap insurances, ConnPACE, and Title XIX among others. Diane Russo coordinates the Family Caregivers Support Program which is funded by the Southwest Area Agency on Aging. Through this program, she provides support, information, and education to persons caring for older adults with chronic illnesses, such as Alzheimer's Disease. Together, the staff of the Baldwin Senior Center are improving the quality of life for our seniors. An unequalled resource for seniors and their families, the Baldwin Senior Center is a true community treasure.

Always welcomed with open arms and warm smiles, I have enjoyed the time I have had the opportunity to spend at the Baldwin Senior Center. As they celebrate their Silver Anniversary, I am proud to stand today and extend my sincere congratulations on this special occasion as well as my very best wishes for many more years of unparalleled service to their community.

IN RECOGNITION OF MR. SONNY HALL, INTERNATIONAL PRESIDENT OF THE TRANSPORT WORKERS UNION, ON THE OCCASION OF HIS RETIREMENT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mrs. MALONEY. Mr. Speaker, I rise to salute Mr. Sonny Hall, international president of the Transport Workers Union, on the occasion of his retirement. Sonny Hall is a trailblazing leader of the trade union movement who

throughout his life has selflessly devoted himself in service to our Nation, his family, and the union members whom he has led so ably for generations.

As International President of the Transport Workers Union of America, Sonny Hall has represented more than 100,000 men and women employed in the Nation's transportation and allied industries. Prior to his election to this post at the Union's 19th Constitutional Convention in October 1993, he served as president of Transport Workers Union Local 100, the largest local union of TWU, representing nearly 38,000 members who operate the lifelines of New York City, its extensive network of subway trains and its public and private bus lines.

Over the course of his long and distinguished career, Mr. Hall served in virtually every union position, from shop steward all the way up to the very pinnacle of the labor movement. He was named president of Local 100 in May 1985 and subsequently elected to full 3-year terms in December 1985, 1988 and 1991. He first joined the Transport Workers Union in 1950 as a bus cleaner for the old Omnibus Corporation, and became a bus operator in 1957. In between, he served tours of duty in both the U.S. Marine Corps and the U.S. Army. Elected an international vice president at the Transport Workers Union's Seventeenth Constitutional Convention in September 1985, he was appointed executive vice president by the International Executive Council on January 9, 1989, and was subsequently elected to that post for a 4-year term at the Union's 18th Constitutional Convention in October 1989.

Mr. Hall went on to be elected secretary treasurer to the AFL-CIO Transportation Trades Department in 1995, and was elected to the AFL-CIO's Executive Council at the Federation's convention in October 1995. Throughout his career, he always served both his fellow union members and the transit-riding public with courageous, calm, clear-headed and effective leadership.

Sonny Hall studied military and criminal law at the University of New Mexico, and graduated with a bachelor of arts degree from the Cornell University Labor College. He is the son of a retired New York City bus operator who served the riding public for three decades and was an early member of Transport Workers Union Local 100. Sonny Hall and his wife, Maureen, are proud parents of a son, Kevin Hall.

In recognition of his outstanding accomplishments, I ask my colleagues to join me in honoring Mr. Sonny Hall on the occasion of his retirement.

CONGRATULATING THE OKLAHOMA EXPOS

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. SULLIVAN. Mr. Speaker, I rise today to honor the Oklahoma Expos, who won the age 14 and under United States Specialty Sports Association's USSSA youth baseball championship on July 18.

This fine group of kids from the First District of Oklahoma was able to defeat close to 90

teams from 15 states in order to win their division's World Series. Needless to say, I am very proud of every member of the roster, all of whom can rightfully call themselves champions.

Of course, they were only able to accomplish this feat through years of hard work and dedication, not to mention teamwork. During their time together, not only did these kids learn how to win at the game of baseball, but also how to win at the game of life. For, whether it be on the baseball fields of Tulsa, Oklahoma or here in the House of Representatives, magical things can happen when people put aside their differences and work together for a common cause. In fact, as I stand here today, I wonder if some of the members of this great body couldn't learn a thing or two from these kids about teamwork.

As we all know, getting a group of 14 year olds to come together as a team does not happen just by chance, there has to be a guiding force. Thus, I would also like to acknowledge the coaches and parents of the Oklahoma Expos for spending so much time with these boys in order to help mold them into champions on the field and off. Your unquestioned dedication to giving back to the community and raising tomorrow's leaders is commendable.

TRIBUTE TO KRISTEN ADELMAN

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. CARDIN. Mr. Speaker, I rise today to pay special tribute to Kristen Adelman who was a member of the Tour of Hope bike ride across America. On Oct. 1, 2004, Kristen joined six-time Tour de France winner Lance Armstrong in a relay bike ride from Los Angeles, CA to Washington, D.C. to help inform the public about the importance of cancer clinical trials.

Kristen is a cancer survivor who has survived three recurrences of an aggressive form of lymphoma. In remission for more than 18 months, Kristen was selected to join 20 other cyclists, including Lance Armstrong, in the eight-day, life-affirming journey across America. Other participants included cancer survivors, physicians, nurses, researchers and advocates who all share one mission—to find a cure for cancer.

Kristen is from Elkridge, MD where she teaches algebra and physical education at the St. Augustine School. She was an active triathlete and marathon runner before her diagnoses of cancer. In fact, while going through treatment, she continued to run and ride her bike.

To prepare for the Tour of Hope, Kristen went through a rigorous 16-week training program. She undertook this ride because she wanted to draw attention to the importance of cancer research. Kristen understands that the only way to find a cure for cancer is through clinical trials, which will help identify safe and effective drugs.

I hope my colleagues in the U.S. House of Representatives will join me in offering our gratitude and appreciation to Kristen for her generosity of spirit and fortitude. It is precisely this type of commitment that will allow us to conquer cancer.

MARRIAGE PROTECTION AMENDMENT

SPEECH OF

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 30, 2004

Ms. DELAURO. Mr. Speaker, I rise in strong opposition to this amendment, which would mark the first time in our Nation's history that the Constitution would be amended to restrict the civil rights of a specific group, rather than to expand rights.

I do not support changing the definition of marriage, and in fact, I voted in favor of the Defense of Marriage Act. But like former Republican Congressman Bob Barr, who authored that bill, I oppose this Constitutional amendment. I believe that each state should have the ability to decide family matters for themselves, rather than having the federal government dictate what they must do.

I strongly support recognizing civil unions to give partners the right to access of health benefits, visiting rights at hospitals, pensions, and other benefits granted to committed married partners. These are rights that other Americans are able to take for granted, and frankly it's difficult to believe that in the 21st Century we need to fight to guarantee those rights. But this amendment would prevent civil unions and domestic partner benefits, again, forbidding states and the District of Columbia to decide for themselves whether they want to allow those benefits.

It is wrong to casually amend our Constitution simply to score a political point. This vicious debate is below the dignity of the House. I hope my colleagues will reject the politics of hate and intolerance, and oppose this amendment.

IN RECOGNITION OF THE PHILLIPS BETH ISRAEL SCHOOL OF NURSING ON ITS CENTENNIAL CELEBRATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mrs. MALONEY. Mr. Speaker, I rise to salute the Phillips Beth Israel School of Nursing on the occasion of the centennial anniversary that it celebrates on October 9th and 10th, 2004.

For one hundred years, the Phillips Beth Israel School of Nursing has been one of the leading centers of professional nursing education in the United States. As with so many institutions in New York City, its roots first grew in Lower Manhattan, where it was founded as an adjunct to its namesake, Beth Israel Medical Center, the outstanding health care institution with which it has been so closely connected throughout its history.

Created shortly after the establishment of the Beth Israel Hospital, the School of Nursing was first officially chartered by the New York State Board of Regents in 1904. Thus began its progression toward excellence, a standard that the School quickly met and proudly upholds to this day.

Since its inception as a degree-granting institution, the Phillips Beth Israel School of

Nursing has undergone significant changes reflective of the evolving nature of health care delivery over the course of the last century. During World War II, the Beth Israel Training School for Nurses, as it was then called, participated in the U.S. Cadet Nursing Program under the terms of the Bolton Act, which provided subsidies to train nursing students for combat duty. As that great conflict was ending, Seymour J. Phillips, a Beth Israel trustee, Chairman of the Phillips Van Heusen Company, and a leading philanthropist of the day, became Chairman of the School, which was renamed in his honor four decades later. In 1978, the School of Nursing received approval to grant the degree of Associate in Applied Science in Nursing. A major academic affiliation was established in 1983 with Pace University offering the liberal arts component of the curriculum. The Phillips Beth Israel School of Nursing also has entered into articulation agreements with Pace and New York University to offer its students the opportunity to pursue a baccalaureate degree.

In 1985, the Phillips Beth Israel School of Nursing received full accreditation from the National League for Nursing, and was re-accredited in 2002 for a full eight years. Under the able leadership of its current Dean, Janet Mackin, RN, EdD, the School continues to advance its mission with a view to its long term future, and is preparing to move into new facilities located at 6th Avenue and 27th Street in Manhattan. Its current curriculum prepares graduates to practice nursing in the realities of today's health care system, but throughout its century-old tradition of excellence, it has maintained a constant goal: educating nurses to practice with a philosophy of caring and compassion.

Mr. Speaker, I ask my colleagues to join me in saluting a century of achievement by a proud New York institution, the Phillips Beth Israel School of Nursing.

IN HONOR OF DR. FRANCISCO OSVALDO CORTINA

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Dr. Francisco Osvaldo Cortina for his lifelong dedication to practicing medicine and serving others. Dr. Cortina was honored by the Association of Villalareños at their annual banquet on October 3, 2004, in Union City, New Jersey.

As a respected physician, Dr. Cortina has devoted more than 32 years to helping people. He began his medical career in his hometown of Santa Clara, Cuba, after graduating from the University of Havana. After immigrating to the United States in 1967, he opened a practice in Petersburg, VA, and later relocated to New Jersey. Dr. Cortina completed his general practice residency at St. Mary's Hospital in Hoboken, where he became the chief resident and graduated in 1972. He then opened practices in Hoboken and Union City.

Dr. Cortina is the son of Spanish immigrants and is married to his high school sweetheart, Hortensia. They have two sons who have proudly carried on the medical tradition and are also physicians.

Today, I ask my colleagues to join me in honoring Dr. Francisco Osvaldo Cortina for his outstanding career as a physician, which has spanned multiple decades, cities and countries. His contributions throughout the years have affected the lives of many, and the wisdom he has passed on to his children will no doubt continue to help the New Jersey medical community in the years to come.

CONGRATULATING AIR NEW
ZEALAND

HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Ms. DUNN. Mr. Speaker, on behalf of the U.S. Congress, Mr. INSLEE, Mr. BAIRD, Mr. NETHERCUTT, Mr. SMITH of Washington, Mr. DICKS, Mr. LARSEN of Washington, Mr. HASTINGS of Washington, Mr. McDERMOTT, and myself, congratulate Air New Zealand for its recent decision to upgrade its wide-body fleet by placing an order with The Boeing Company for eight 777-200ERs and two 7E7s, Boeing's newest airplane. Air New Zealand's order of the Boeing 7E7 makes it the second official customer for this revolutionary new aircraft.

This decision clearly demonstrates Air New Zealand's commitment to the world's best technology and long-term view of the airline's place in commercial aviation. It is with great pride and gratitude that we applaud Air New Zealand's purchase of American-manufactured aircraft.

RECOGNIZING THE SELECTION OF
DALE GLYNN AS MICHIGAN HIGH
SCHOOL PRINCIPAL OF THE
YEAR

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to recognize Dale Glynn of Everett High School in Lansing, Michigan for being named Michigan High School Principal of the Year. Mr. Glynn was presented with this honor by the Michigan Association of Secondary School Principals on September 27, 2004.

During his tenure as Principal, Dale Glynn has striven to provide his students with access to the best education by developing rewarding after school programs and creating an environment of inclusiveness for all of the students at Everett High School. Mr. Glynn has been honored by his peers and is loved by his students because of his steadfast commitment and determination to provide his urban school the same access to quality education as suburban counterparts.

Mr. Speaker, providing quality public education to all our nation's students has been a top priority of this Congress. Educators like Dale Glynn who make tremendous strides to providing high caliber education to all students must be recognized and commended. I ask my colleagues to join me in recognizing Dale Glynn for being named Michigan High School Principal of the Year.

CONSTITUTION WEEK AND CIVIC
EDUCATORS

HON. KENNY C. HULSHOF

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. HULSHOF. Mr. Speaker, the Constitution states: "This great nation of ours was founded in order to form a more perfect Union, establish Justice, insure domestic tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity."

These words echo the principles that have served our nation well for the past 228 years. It is of paramount importance that today's youth have a firm grasp of the principles and ideals outlined in this hallowed document.

Mr. Speaker, as you may know, President Bush declared September 17th through September 23rd Constitution Week to commemorate the September 17, 1787 signing of the Constitution. I rise today to recognize Constitution Week and to honor civic education leaders and programs that have played an integral role in educating Missouri's youth about the Constitution.

One exemplary program worthy of particular praise is We the People: the Citizen and Constitution. This program educates students in junior high and high school on the merits of a Constitutional democracy and discusses the material in a manner that provides relevance to the students and creates a model for student civic life.

I want to draw particular praise for Millie Aulbur, who is the Director of Law-Related Education for the Missouri Bar. She has been a pillar in the civic education community, and her diligent work and strong leadership have vastly improved civic education programs in my home state. Likewise, she has been extremely effective in raising awareness of this issue with Missouri's Congressional delegation. Millie has recently succeeded in establishing a coalition of civic education leaders, known as the Advisory Committee for Civic Education of the Missouri Bar. I have known Millie since before coming to Congress, having served with her in the Missouri Attorney General office. I can say unequivocally that she is one of the finest and hard-working individuals I know. Her commitment to civic education and Missouri's youth is highly commendable.

Without these civic education programs and leaders, we run the risk that future generations of Americans will lack knowledge of the document upon which our democracy is based. Millie Aulbur's efforts set a fine example, and I urge my colleagues to learn more about civic education programs in their Congressional districts and to assist these valued civic educators in this noble endeavor.

PIRACY DETERRENCE AND
EDUCATION ACT OF 2004

SPEECH OF

HON. LAMAR S. SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 28, 2004

Mr. SMITH of Texas. Mr. Speaker, I wish to offer some additional information and guidance on several sections of H.R. 4077.

Section 12 of H.R. 4077 is called the "Family Movie Act of 2004." The Committee has made changes to the Committee reported language to better enable the provision to achieve its purpose: to empower people to use technology to skip and mute material that they find objectionable in movies, without impacting established doctrines of copyright or trademark law or those whose business model depends upon advertising. This amendment to the law should be narrowly construed to affect its intended purpose only. The sponsors of the legislation have been careful to tailor narrowly the legislation to clearly allow specific, consumer-directed activity and not to open or decide collateral issues or to affect any other potential or actual disputes in the law.

The substitute amendment we offer today makes clear that, under certain conditions, "making imperceptible" of limited portions of audio or video content of a motion picture—that is, skipping and muting limited portions of movies without adding any content—as well as the creation or provision of a computer program or other technology that enables such making imperceptible, does not violate existing copyright or trademark laws. That is true whether the movie is on prerecorded media, like a DVD, or is transmitted to the home, as through services like "video-on-demand."

The core provision of the Family Movie Act lies in Section 2, which creates a new exemption at section 110(11) of the Copyright Act. This new exemption sets forth a number of conditions to ensure that it achieves its intended effect while remaining carefully circumscribed and avoiding any unintended consequences. The conditions that allow an exemption, which I will discuss in more detail in a moment, consist of the following:

The making imperceptible must be "by or at the direction of a member of a private household." This legislation contemplates that any altered performances of the motion picture would be made either directly by the viewer or at the direction of a viewer where the viewer is exercising substantial choice over the types of content they choose to skip or mute.

The making imperceptible must occur "during a performance in or transmitted to the household for private home viewing." Thus, this provision does not exempt an unauthorized "public performance" of an altered version.

The making imperceptible must be "from an authorized copy of a motion picture." Thus, skipping and muting from an unauthorized, or "bootleg" copy of a motion picture would not be exempt.

No "fixed copy" of the altered version of the motion picture may be created by the computer program or other technology that makes imperceptible portions of the audio or video content of the motion picture. This provision makes clear that services or technologies that make a fixed copy of the altered version are not afforded the benefit of this exemption.

No changes, deletions or additions may be made by the computer program or other technology to commercial advertisements, or to network or station promotional announcements, that would otherwise be performed or displayed before, during, or after the performance of the motion picture. This requirement makes plain that devices or services that provide for automated "ad-skipping" do not fall within the scope of this exemption.

The “making imperceptible” of content does not include the addition of audio or video content over or in place of other content, such as placing a modified image of a person, a product, or an advertisement in place of another, or adding content of any kind.

The portion of the substitute amendment containing the Family Movie Act reflects a number of clarifying changes from the version of the bill reported by the Judiciary Committee.

The substitute amendment makes clear that the “making imperceptible” of limited portions of audio or video content of a motion picture must be done by or at the direction of a member of a private household. While this limitation does not require that the individual member of the private household exercise ultimate decision-making over each and every scene or element of dialog in the motion picture that is to be made imperceptible, it does require that the making imperceptible be made at the direction of that individual in response to the individualized preferences expressed by that individual. The substitute amendment envisions that the test of “at the direction of an individual” is satisfied when an individual selects preferences from among options that are offered by the technology.

The Committee has used as an example the model of ClearPlay, which appeared before the Subcommittee during hearings on this legislation. ClearPlay provides filter files that allow a viewer to express his or her preferences in a number of different categories, including language, violence, drug content, sexual content, and several others. The version of the movie that the viewer sees depends upon the preferences expressed by that viewer. It is the Committee’s view that the current version of ClearPlay falls under the liability limitation of the Family Movie Act.

This limitation would not allow a program distributor, such as a provider of video-on-demand services, a cable or satellite channel, or a broadcaster, to make imperceptible limited portions of a movie in order to provide an altered version of that movie to all of its customers, which would likely violate a number of the copyright owner’s exclusive rights, or to make a determination of scenes to be skipped or dialog to be muted and to offer to its viewers no more of a choice than to view an original or an altered version of that film. Some element of individualized preferences and control must be present such that the viewer exercises substantial choice over the types of content they choose to skip or mute.

It is also important to emphasize that the new section 110(11) exemption is targeted narrowly and specifically at the act of “making imperceptible” limited portions of audio or video content of a motion picture during a performance that occurs in, or that is transmitted to, a private household for private home viewing. This section would not exempt from liability an otherwise infringing performance, or a transmission of a performance, during which limited portions of audio or video content of the motion picture are made imperceptible. In other words, where a performance in a household or a transmission of a performance to a household is done lawfully, the making imperceptible limited portions of audio or video content of the motion picture during that performance, consistent with the requirements of this new section, will not result in infringement liability. Similarly, an infringing performance in a household, or an infringing transmission of a

performance to a household, are not rendered non-infringing by section 110(11) by virtue of the fact that limited portions of audio or video content of the motion picture being performed are made imperceptible during such performance or transmission in a manner consistent with that section.

The substitute amendment also provides additional guidance, if not an exact definition, of what the term “making imperceptible” means. The substitute provides that the term “making imperceptible” does not include the addition of audio or video content that is performed or displayed over or in place of existing content in a motion picture. This is intended to make clear in the text of the statute what has been expressed throughout the consideration of this legislation, which is that the Family Movie Act does not allow for the addition of content of any kind, including the making imperceptible of audio or video content by replacing it or by superimposing other content over it. In other words, for purposes of section 110(11), “making imperceptible” refers solely to skipping scenes and portions of scenes or muting audio content from the original, commercially available version of the motion picture. No other modifications of the content are addressed or immunized by this legislation.

The Committee is aware that some copy protection technologies rely on matter placed into the audio or video signal. We would point out that the phrase “limited portions of audio or video content of a motion picture” means what it would naturally seem to mean (i.e., the actual content of the motion picture) and does not refer to any component of a copy protection scheme or technology. It is not our intention that this provision allow the skipping of technologies or other copy-protection-related matter for the purpose of defeating copy protection. Rather, it is expected that skipping and muting of content in the actual motion picture will be skipped or muted at the direction of the viewer based on that viewer’s desire to avoid seeing or hearing the action or sound in the motion picture. Skipping or muting done for the purpose of or having the effect of avoiding copy protection technologies would be an abuse of the safe harbor outlined in this legislation and may violate section 1201.

Violating the Digital Millennium Copyright Act, and particularly its anti-circumvention provisions, is not necessary to enable technology of the kind contemplated under the Family Movie Act. Although the amendment to section 110 provides that it is not an infringement of copyright to engage in the conduct that is the subject of the Family Movie Act, the Act does not provide any exemption from the anti-circumvention provisions of section 1201 of title 17, or from any other provision of chapter 12 of title 17. It would not be a defense to a claim of violation of section 1201 that the circumvention is for the purpose of engaging in the conduct covered by this new exemption in section 110(11), just as it is not a defense under section 1201 that the circumvention is for the purpose of engaging in any other non-infringing conduct.

The Committee is aware of companies currently providing the type of products and services contemplated by this Act and found that the Family Movie Act created no impediment to the technology employed by those companies. Indeed, it is important to underscore the fact that our support for this technology and consumer offering is driven in some measure

by our desire for copyright law to be respected and to ensure that this technology be deployed in a way that supports the continued creation and protection of entertainment and information products that rely on copyright protection. It is our firm expectation that those rights and the interests of viewers in their homes can work together in the context we have defined in this bill. Any suggestion that support for the exercise of viewer choice in modifying their viewing experience of copyrighted works requires violation of either the copyright in the work or of the copy protection schemes that provide protection for such work should be rejected as counter to legislative intent or technological necessity.

The substitute amendment offered today also provides for an exclusion to the exemption in cases involving the making imperceptible of commercial advertisements or network or station promotional announcements. The Committee heard concerns during the Committee markup that the bill might be read to somehow exempt from copyright infringement liability devices that allow for skipping of advertisements in the playback of recorded television. This is neither the intent nor the effect of the bill. The phrase “limited portions of audio or video content of a motion picture” is intended to apply only to the skipping and muting of scenes or dialog of a motion picture and not to the skipping of advertisements. That intent is made clear in the language of the statute by our amendment today, which provides that the new section 110(11) exemption does not apply to the making imperceptible of commercial advertisements, or to network or station promotional announcements, that would otherwise be performed or displayed before, during or after the performance of the motion picture.

The changes made by the substitute amendment are not to be taken to suggest that the Committee intends to express a view on the merits of, or the unresolved legal questions underlying, recent litigation related to so-called “ad-skipping” technologies. The Committee intends simply to make clear that this legislation is narrowly targeted to the use of technologies and services that filter out content in movies that a viewer finds objectionable and that it in no way relates to or affects the legality of so-called “ad-skipping” technologies.

Because the committee’s and the sponsors’ intention has been to fix a narrow and specific copyright issue, we seek to avoid unnecessarily interfering with current business models, especially with respect to advertising, promotional announcements, and the like.

The phrase “commercial advertisements or . . . network or station promotional announcements” is intended to cover what would naturally be perceived as commercials by most viewers, including traditional commercials that stand independent of the narrative flow of the content of the actual motion picture itself, or promotional announcements made in similar fashion, such as those commonly used to announce upcoming programming offered by the network or other entertainment provider.

Let me offer a few final points with respect to Section 2. During the consideration of this legislation the Committee became aware of a variety of services that distributed actual copies of altered movies. This type of activity is clearly not covered by the Family Movie Act. There is a basic distinction between a viewer

choosing to alter what is visible or audible when viewing a film, the focus of this legislation, and a separate entity choosing to create and distribute a single, altered version to members of the public. It is the sponsor's intent that only viewer directed changes to the viewing experience be immunized, and not the making or distribution of actual altered copies of the motion picture.

On a related point, the committee took notice of conflicting expert opinions on whether fixation is required to infringe the derivative work right under the Copyright Act, as well as whether evidence of Congressional intent in enacting the 1976 Copyright Act supports the notion that fixation should not be a prerequisite for the preparation of an infringing derivative work. The committee and the sponsors take no view of that disputed point of the law and leave that point to future developments in the courts or Congress. This legislation should not be construed to be predicated on or to take a position on whether fixation is necessary to violate the derivative work right, or whether the conduct that is immunized by this legislation would be infringing in the absence of this legislation.

Section 3 of the Family Movie Act provides for a limited exemption from trademark infringement for those engaged in the conduct described in the new section 110(11) of the Copyright Act. The substitute amendment makes several clarifying changes from the version as reported by the Committee.

In short, this section makes clear that a person engaging in the conduct described in section 110(11)—the “making imperceptible of portions of audio or video content of a motion picture or the creation or provision of technology to enable such making available—is not subject to trademark infringement liability based on that conduct, provided that person's conduct complies with the requirements of section 110(11). This section provides a similar exemption for a manufacturer, licensee or licensor of technology that enables such making imperceptible, but such manufacturer, licensee or licensor is subject to the additional requirement that it ensure that the technology provides a clear and conspicuous notice at the beginning of each performance that the performance of the motion picture is altered from the performance intended by the director or the copyright holder.

Of course, nothing in this section would immunize someone whose conduct, apart from the narrow conduct described by 110(11), rises to the level of a Lanham Act violation.

For example, someone who provides technology to enable the making imperceptible limited portions of a motion picture consistent with section 110(11) could not be held liable on account of such conduct under the Trademark Act, but if in providing such technology the person also makes an infringing use of a protected mark or engages in other ancillary conduct that is infringing, such conduct would not be subject to the exemption provided here.

Finally, regarding Section 10(G), the Committee intends that the government has the burden to prove beyond a reasonable doubt that the service provider is ineligible for a Section 512 safe harbor from monetary relief for performing the function in question. The Committee also intends that courts refer to the legislative history regarding and case law interpreting Section 512 as a guide to interpreting the substantive standards governing whether

the service provider is ineligible for Section 512 protection.

MARRIAGE PROTECTION AMENDMENT

SPEECH OF

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 30, 2004

Mr. GRIJALVA. Mr. Speaker, I rise today to express my strong objection to this so-called “marriage protection” amendment. Furthermore, I am appalled that we are spending three and a half hours debating this issue when Americans are struggling to cope with much more serious issues, with little or no help from this body.

The sponsors of this bill claim that there is a dire need to amend the Constitution in order to protect and promote the notion of healthy, stable families. I support the notion of “healthy families” but I could suggest a number of methods we could use to reach this goal that do not include discriminating against an entire class of American citizens.

We could provide healthcare to the over 40 million uninsured Americans.

We could work to offer a real prescription drug benefit for seniors so they do not need to choose between food and medicine.

We could offer real solutions to create economic opportunity for all.

We could provide the funding necessary to allow all children to go to school in a safe and healthy environment.

We could strengthen programs that combat domestic violence.

We could renew the assault weapons ban.

We do not need to prevent two people who love each other from being legally recognized as such.

These are serious issues that too many Americans struggle with every day. These are serious problems that Congress could address if we had the time and dedication to the real issues. Instead, we stand on the floor today playing party politics on a stage that has been held hostage by the Republican House leadership's election year politics to consider an initiative that the Senate has already overwhelmingly rejected.

Mr. Speaker, I urge my colleagues to vote against this unnecessarily divisive election year proposal.

PAYING TRIBUTE TO FLORIE MASSAROTTI

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. McINNIS. Mr. Speaker, it is with great pride that I rise today to pay tribute to Florie Massarotti, a truly dedicated community leader from Cokedale, Colorado. Florie has been participating in the Boy Scouts for over fifty years, both as a young member and as an adult leader in various positions. The mentorship he has provided to many children in Las Animas County is exemplary, and I would like to join my colleagues here today in recognizing his

tremendous achievements before this body of Congress and this Nation.

Florie began his long association and service with the Boy Scouts at the age of twelve in Cokedale. After graduating high school, he stopped participating for several years, during which time the local troop was disbanded. When, in 1958, the Holy Name Society reorganized the troop, Florie volunteered as a third assistant scoutmaster. Two weeks later he became the Scoutmaster. For twenty years, Florie headed his troop, passing on the leadership role to his successor, while assuming a position as a council member. In the 1990's, when the Scoutmaster position was vacated, he took the lead until a replacement was found. Today, in addition to serving as a council member, Florie is a member of the Rocky Mountain Council Executive Board. In recognition for his commendable contributions, Florie was awarded the St. George Award, a Roman Catholic award for adults in Scouting, the 50-year Pin, and the Silver Beaver that is awarded to Scouters with distinguished service.

Mr. Speaker, it is a privilege to honor Florie Massarotti for his half-century of contributions to the Boy Scouts. His actions serve as an example, and it is with great pleasure to recognize him today before this body of Congress and this Nation. Thank you, Florie, and I wish you well with all of your future endeavors.

50 YEARS OF RADIO FREE EUROPE/RADIO LIBERTY BROADCASTING IN UKRAINE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. LANTOS. Mr. Speaker, 50 years ago, Congress authorized a program of U.S. radio broadcasts to Ukraine that had enormous historical importance, and still do today. We know that the transition to democracy and genuine freedom of speech in the former communist countries has never been easy to implement, but such broadcasts are an essential component. Thomas A. Dine, the President of the RFE/RL, is one of my dear and closest friends. He has been a tireless fighter for democracy, human rights, press freedoms, and rule of law in Ukraine and other countries of Eastern Europe and the former Soviet Union. I want to honor his contribution to the cause of freedom and democracy in Ukraine by including this speech he delivered last month in Kharkiv, Ukraine, in the CONGRESSIONAL RECORD.

TODAY'S UKRAINE: THE LACK OF DEMOCRATIC FREEDOMS

(By Thomas A. Dine)

I am in Ukraine at this time for several reasons:

First, to celebrate the 50th anniversary of Radio Liberty's Ukrainian broadcasting service. Radio Liberty has been a source of objective news and information for the people of Ukraine for fifty years—for this fact, I am honored to head Radio Free Europe/Radio Liberty and to be associated with the men and women who have brought first-class journalism to Ukraine's airwaves for half a century. Second, to remind as many Ukrainians as possible that in February 2004, the Kuchma Government kicked Radio Liberty

off the Dovira Radio FM network. Third, to work with media people to try to restore our broadcasts on as many stations as possible as soon as possible. Fourth, to join all of you participating in this Global Fairness Initiatives, IREX, and Ukraine in Europe conference here in Kharkiv.

Today I want to share my experiences and observations about the condition of democratic institutions in general, and free press in particular, in Ukraine. Overall, the Ukrainian people still do not have the full freedoms they deserve. This is the essence of my talk here this morning: after five decades, the Ukrainian people still do not have the full freedoms they deserve. Of course, Ukraine in 2004 is a vastly better place to be than it was in 1954. The tyrannical Soviet Union is no more, and its calculated effort to eradicate Ukrainian culture failed. Ukraine now has a semblance of political independence and free markets.

But I can tell you that for those of us in the business of establishing and protecting freedom of speech and press institutions, Ukraine continues to be a heartache. For example, here's a question for you: What do Pakistan, Jordan, Azerbaijan, Indonesia, Egypt, and Kuwait have in common? Yes, they are all Muslim countries. But besides that, they all, according to the watchdog organization Reporters Without Borders, have more press freedom than Ukraine.

Let me give you a more personal example: Radio Free Europe/Radio Liberty broadcasts to 19 countries today, and each one is important to us. All people, whether they're from large nations like Russia or small nations like Armenia, have the right of unfettered access to news and information. But as the President of RFE/RL, owing to the lack of real press freedom here in Ukraine, starting with the murder of George Gongadze, I have spent more time dealing with Ukraine over the past four years than with any other single country. The condition of press freedom in Ukraine today is poor.

Ukraine is the biggest disappointment among the countries to which Radio Free Europe/Radio Liberty broadcasts. I say this because, while we certainly broadcast to countries less free than Ukraine, no other country's post-Soviet path has diverted so much from the hopes that I, and other western friends of Ukraine, had for it. Ukraine is a potentially rich and beautiful country, with immense potential with a well-educated populace 50-million strong, fertile land, bustling seaports, and a strategic location between the European Union and Russia. But a succession of corrupt governments has squandered this potential. U.S. State Department officials have even invented a term for our feelings of frustration; it is called in Washington, "Ukraine fatigue." Elected American politicians and American foreign policy officials are tired of the Ukrainian leadership's resistance to liberal democratic reforms.

The media environment in Ukraine has one overriding problem, and it's easy to summarize: an overwhelming majority of radio and television stations present only pro-government points of view. Experts who have studied the Ukrainian media have identified three reasons for this.

The first reason is obvious: almost all national TV and radio stations are owned or controlled by government officials and their friends. Two associates of President Kuchma in particular Viktor Medvedchuk, the head of the Kuchma Administration, and Viktor Pinchuk, Mr. Kuchma's son-in-law-control a staggering portion of Ukrainian broadcast media outlets.

The second reason for the dominance of the government's point of view on the airwaves is the widespread use of *temniki*. As I am

sure all of you know, *temniki* are secret, unsigned daily memoranda sent by President Kuchma's staff to editors of the leading state and private media, instructing them on how to cover a particular story, and on which stories to cover and which to ignore. When the President's office determines the content of the evening news, that is not freedom—that is autocracy. Noted journalist Andriy Shevchenko put it best when he told your Parliament in 2002, "Television news coverage in Ukraine is done by remote control."

The third reason for the orthodoxy prevailing in Ukrainian broadcasting is the corrupt licensing process. As you know, anyone with a computer and a printer can start a newsletter or a website. But television and radio frequencies are a finite commodity that must be allotted by the government. That is how it works in the United States, and that's how it works in Ukraine. The problem in Ukraine, however, is that the licensing authorities favor broadcast entities that promise to be friendly to the government—and the process itself is so closed and confusing that protesting a given decision is futile.

This concentration of media power in the hands of one political mindset and one political bloc becomes particularly dangerous during an election campaign. This year, when it is absolutely critical that voters receive as much objective and balanced information about the candidates as possible, Ukrainian voters are getting only one side of the story. Studies by outside observers have established beyond doubt that on the TV and radio stations controlled by Mr. Medvedchuk and Mr. Pinchuk, including Ukrainian state television and Ukrainian state radio, reporters are providing positive coverage of the candidate Mr. Kuchma supports, and overwhelmingly negative coverage of the candidate Mr. Kuchma most fears and dislikes. This is precisely why freedom of the press is essential to the operation of a democracy: an electorate cannot possibly make informed choices at the ballot box if the media do not report the whole truth about the candidates.

President Kuchma thus enjoys a luxury that any political leader would envy—a media environment that is almost totally compliant. And this lack of diversity in the media landscape has been exacerbated by the fact that the profession of practicing journalism in Ukraine is so difficult that few people are willing to do it.

I stated earlier that the condition of media freedom in Ukraine is poor. Associated with this fact is that Ukraine, to put it mildly, is not a good place to be a journalist. Reporters there have more to fear than the censorship and intimidation that unfortunately plague much of the media in the former Soviet Union. Ukrainian journalists must also fear for their lives. Since 2000, at least 39 journalists have been killed. 42 Ukrainian journalists were attacked or harassed in 2003 alone nearly double the figure for 2002. And although President Kuchma himself may not be to blame for all the mayhem that is visited on reporters in his country, there is strong evidence, indeed a tape recording, that he is directly responsible for the most notorious act of violence against a journalist in recent memory: the cruel and criminal beating of Georgy Gongadze.

Furthermore, practicing journalism in Ukraine entails enormous economic burdens. While there is a small group of well-connected journalists that is very well-paid, low salaries are the rule. Expenses such as computers, transmitters, newsprint, and paper are very burdensome for the average Ukrainian enterprise. Private media outlets have a limited pool of advertisers from which to draw extra revenue, and therefore have a hard time turning a profit. When you have

impoverished media employing impoverished journalists, the result is a journalistic climate that is extremely conducive to corruption: people with money can get their stories told and their views expressed, while people without money cannot. Moneyed interests—including government officials—can manipulate coverage of their actions, as cash-starved newspapers are offered financial inducements to tell the payer's side of the story. Call it journalistic bribery.

Meanwhile, the prevalence of organized crime has made targets of journalists who dare to print the truth about corruption. And law suits against media outlets for defamation are on the rise. In a climate such as this, when independent journalists face everything from lawsuits to jail to death, it is almost a miracle that anyone is willing to pursue the profession.

Radio Free Europe/Radio Liberty has experienced the hostility of the Ukrainian media environment firsthand. As a broadcast entity funded in the United States and produced in Prague, we cannot be intimidated by President Kuchma and his goons. But while Kuchma can't go after RFE/RL, he can go after our affiliate stations in Ukraine, and that is precisely what he has done.

The government's crusade against Radio Liberty began in earnest in February 2004 when, after a five-year, close working relationship, our Ukrainian-language programs were removed from the Dovira FM radio network by the company's new owner, who is a political supporter of President Kuchma. Dovira was RFE/RL's major affiliate; it gave us the ability to reach some 60 percent of the population of Ukraine, including Kyiv. The explanation given by the new owners—that RFE/RL news programs did not fit the envisioned new format of the radio network—ignored the fact that Dovira listenership was highest when our programs were on its airwaves. And in fact, authorities later admitted to some of us that the Dovira action was taken for political, not commercial, reasons.

The attack on Radio Liberty intensified in March, when Radio Kontyent, an FM commercial station in Kyiv that had begun to air RFE/RL programming two days earlier, was raided and closed by Ukrainian authorities. The station's transmission equipment was seized and three employees were briefly detained. This station also carried the programs of other international broadcasters, including the Voice of America, BBC, Polish State Radio, and Deutsche Welle. Serhiy Sholokh, the owner of Radio Kontyent, fled Ukraine and has received political asylum in the United States.

On that very same day, an RFE/RL representative was scheduled to meet in Kyiv with Heorhiy Chechyk, the owner of an independent FM station in Poltava, to finalize a contract to broadcast RFE/RL programs. The director was killed in a suspicious automobile accident en route to this meeting.

RFE/RL continues to broadcast in Ukraine on seven independent radio stations in smaller cities and a small network in Crimea. In addition, our board, the U.S. Broadcasting Board of Governors, has added additional shortwave frequencies into Ukraine in an effort to continue to provide our popular programming to listeners in Ukraine. But the Kuchma Administration is doing its best to prevent us from gaining greater access. Over and over again, owners of radio stations in Ukraine tell us that they are being threatened by Ukrainian authorities and told not to take RFE/RL programs. Some station owners who earlier showed interest now are unwilling even to meet with us. The government has exerted financial pressure on potential affiliates as well, threatening a tenfold increase in the licensing fees of any TV or radio station that rebroadcasts foreign

programming. Their tactics, in other words, are no different from those of the mafia.

The website of RFE/RL's Ukrainian Service, www.radiosvoboda.org, has a substantial following in Ukraine. But even our Internet efforts have faced government obstruction. Earlier this year, RFE/RL attempted to send a "mirror server" to Kyiv, which would have provided Internet users in Ukraine with much quicker and more reliable access to the site. Ukrainian customs, however, refused to admit the server, seizing on a clerical error to accuse RFE/RL of attempted smuggling. Just looking at the harassment Radio Liberty has faced in Ukraine, you can see why Reporters Without Borders has given Ukraine such low marks.

In addition to the problems I mentioned earlier, there is one more problem plaguing the Ukrainian media environment—and this one is the most worrisome of all. It is apathy. Over and over again, scholars and observers of Ukraine note that when the government interferes with freedom of the press, the Ukrainian people—including journalists—do not protest much. As one Ukrainian journalist has stated, "Freedom of speech is not valued in our society, and its violation does not cause public outrage" when it is threatened.

Ladies and gentlemen, if I can leave you today with one message, it is that freedom of expression does matter. There's a reason that the founders of the United States put freedom of speech and freedom of the press at the top of the Bill of Rights. There's a reason that Thomas Jefferson once wrote, "If it were left to me to decide whether we should have a government without a free press or a free press without a government, I would prefer the latter." There's a reason Franklin Roosevelt called it "the first freedom." There's a reason it occupies an important place in the Universal Declaration of Human Rights. That reason is that without a free press, society simply does not work—and its people cannot prosper.

Newspapers, radio, and television perform two functions that are absolutely critical: first, they allow a nation's citizens to engage in an ongoing conversation with one another, and to form intelligent opinions about how their society should be run; and second, they serve as a check against government corruption. It is a universal truth of human nature that power corrupts. A free press is the most important protection we the people have against government's inevitable tendency to increase its own power. This is the critical difference between the Communist view of government and the democratic view of government: the Communists preached that the government knew best. The democratic view is that because power corrupts, government cannot be trusted and it therefore must be checked in every way possible. That is why democracy requires a representative legislature, independent courts, and, most importantly, a free press.

One of my favorite words in the English language is "obstreperous." I am told that in Ukrainian it is *halaslivy*. If you look at the word's Latin roots—"ob"—against, and "strepere"—to make a noise—you can get an idea of what it means: unruly, clamorous, noisy, defiant. What Ukraine needs more than anything now is for you, the Ukrainian people, to be more obstreperous. If corrupt officials violate your rights, make lots of noise. If they shut down the TV stations they do not control, make lots of noise. If they send goons to polling places when you are trying to vote for your local mayor, make lots of noise. And if they try to steal next month's election, make lots of noise. Protest, defiance, noise, demanding the truth—these are the fundamental ingredients of freedom and democracy.

My fondest wish is for this to be the last anniversary that Radio Liberty ever celebrates in Ukraine; nothing would make me happier than for us to become obsolete. But as long as Ukraine lacks a free press, Radio Liberty will be with you—if it takes another 50 years, we will not abandon your cause of real freedom, of real democratic institutions.

Remember, though, that the most important role will be played by you, the people. Never forget that apathy is the dictator's best friend—and that obstreperousness is the dictator's worst nightmare. Ukraine is a proud place, but it is not a free place.

A window was opened when the Soviet Union dissolved and the nation-state of Ukraine arose again—and now it's up to you to make sure that the window stays open, so that Ukraine can at last breathe the same fresh air, that is a fully free media, that we in the West have worked so hard for and been fortunate enough to breathe for so long.

TRIBUTE TO JONESBORO MAYOR HUBERT BRODELL

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a man with a very impressive public service record. Jonesboro Mayor Hubert Brodell is retiring after 17 years of serving the needs of Jonesboro's citizens. He has served four consecutive terms as mayor and will be stepping down this year. I would like to pay tribute to his service and dedication and acknowledge his retirement today.

Hubert Brodell has worked very hard for both the economic development and the industrial growth of Jonesboro. Under his leadership, the city has expanded by 2/3 its original size, primarily due to the 1987 annexation referendum he put together to prepare for future growth. This has allowed and also attracted various industries to the area. The population has doubled during his time in office, and Mayor Brodell has risen to the challenges of a growing community by meeting them head on. He implemented the 911 Center that expanded and improved emergency services; maintained a goal of keeping the streets and highways up to par; and worked fervently with city services to better meet the needs of all who call Jonesboro home.

In his personal life, Hubert Brodell is a family man. He has been married to his wife, Dorothy, for 50 years and has 6 children and 17 grandchildren. He has decided this to be his last term so he can spend more time with the people he loves.

So on behalf of the U.S. Congress, I extend my sincerest appreciation to Hubert Brodell for his outstanding service and citizenship. Jonesboro and all of Northeast Arkansas is a better place to live and work because of his service, and I am proud to call him my friend.

PAYING TRIBUTE TO JEANETTE WARE

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. McINNIS. Mr. Speaker, it is with a sad heart that I rise to pay tribute to the passing

of Jeanette Ware, a dedicated humanitarian from Carbondale, Colorado. Jeannette was a devoted member of the community, and will be missed by many in Carbondale. As her family and friends mourn her loss, I believe it is appropriate to recognize Jeanette before this body and this Nation today.

Jeanette Ware moved to Carbondale in 2000 and immediately volunteered as an Emergency Medical Technician with the fire department. Instantly making a difference, she was recognized as the rookie of the year in 2001 and was later awarded the Carbondale Fire department's Life Saver Award for saving a child's life. Jeanette also started her own business as a midwife, assisting mothers with child birth and caring for their babies. She sadly was taken from this world, at the young age of 28, in a car accident when her car lost control and went off the road.

Mr. Speaker, Jeanette was a dedicated young woman that selflessly served her community, and I am honored to pay tribute to such an amazing person. At such a young age, her contributions to the community are an incredible model for all Americans. My thoughts and prayers go out to her family and friends during this time of bereavement.

URGING THE GOVERNMENT OF UKRAINE TO ENSURE THAT THE PRESIDENTIAL ELECTIONS ON OCTOBER 31, 2004 ARE FREE, FAIR, AND CONSISTENT WITH INTERNATIONAL STANDARDS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. LANTOS. Mr. Speaker, I want to bring the attention of my friends and colleagues in Congress to an issue of a critical importance to U.S. national interests in Europe—the upcoming presidential elections in Ukraine on October 31, 2004, just days before our own elections on November 2, 2004.

Ukraine has been a country at crossroads since it first regained independence in 1991. It conducted parliamentary and presidential elections but the outcome always fell far short of the international standards and democratic commitments of its own constitution. Although the government of Ukraine adopted recommendations of the OSCE into its electoral law, the implementation was lagging. On many occasions, international elections observers observed fragrant violations of the law at all levels of the Ukrainian political system. The worst abuses exploited the so-called administrative resources to virtually shut out the opposition candidates from the political process. Despite pressure from the United States Government and Congress, these practices continued.

Nevertheless, Mr. Speaker, we hoped that these elections would be a marked improvement over the past because the government of Ukraine understood how crucial they are to ensure Ukraine's integration in Europe. Ukraine's democracy and geopolitical orientation are at stake. Throughout the past year, many Ukrainian dignitaries traveled to Washington to meet with United States Administration officials and Members of Congress to assure us that these elections would be different.

U.S. Members of Congress and Administration officials made regular trips to Kiev with the same message. Sadly, Mr. Speaker, our hopes were crushed when we saw how the 2004 presidential campaign was unfolding.

According to information collected by international and local non-partisan monitoring groups, most of Ukraine's 225 territorial election commissions are controlled by pro-government political forces that are openly supporting the candidacy of the Prime Minister Viktor Yanukovich. International observers also estimate that the twenty five presidential candidates are not genuine candidates, but are running to place Yanukovich loyalists on the electoral commissions. This practice compromises the independence of the commissions and makes a complete farce out of the Ukrainian election law. State and local Ukrainian officials are controlling and manipulating the media to shut out the main opposition candidate Victor Yushchenko. The state officials are using illegal means to interfere in the election campaign, giving rise to grave concerns regarding the commitment of the Ukrainian Government to free and fair elections.

In fact, our Ambassador to Ukraine, John Herbst, most recently publicly stated that Ukraine is not meeting its commitments to conduct fair and transparent elections. I am also concerned by the behind the scenes deal between President Putin and Prime Minister Yanukovich. It is obvious that Mr. Yanukovich is the preferred candidate of Russia, and I wonder how much of the Ukrainian political sovereignty and economic freedom have been ceded to Russia in exchange for its financial support.

I hope that this resolution will send an important message to the Ukrainian electorate and the Ukrainian political elite that the U.S. Congress cares deeply about the future of Ukraine. Ukrainian citizens must have confidence that the legal system will protect their rights and that their political will and their votes will be counted, and the result of the elections will not be manipulated. The United States hopes to sustain a strong and friendly relationship with democratic, sovereign, and prosperous Ukraine. History has shown us that the most enduring alliances are sustained between allies who share the same values and vision. The elections on October 31, 2004 will reveal whether the Ukrainian Government is committed to democracy and the rule of law and whether it is willing to become a full and equal member of the western community of democracies.

TRIBUTE TO WESLEY AND ELLA
MAE ROOKS

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to Wesley and Ella Mae Rooks. They are a very special couple who have given so much to the community they adopted over forty years ago. Wesley came to Gillett, Arkansas, as a math teacher, and Ella Mae found a job in a neighboring town as a secretary. Eventually, Ella Mae was employed as a secretary to the principal at Gillett High School where Wesley was teaching.

Mr. Speaker, there is no way to adequately measure the positive influence Wesley and Ella Mae had on the young people of Gillett in their years at Gillett High School. I personally know from my own children's experience how they valued every child and encouraged them in their class work and in life beyond the classroom. They were demanding of a child's best, expected it, and did so with a large dose of good humor. Young people knew the Rooks were rooting for them to succeed.

Their retirement has given them other outlets to find ways of encouraging others. Whatever need presents itself, they respond.

So on behalf of the U.S. Congress, I take this opportunity to wish Wesley my congratulations on his 80th birthday, and he and Ella Mae are both congratulated on being loved and appreciated by a host of friends and relatives. They are the essence of what makes America great. I am indeed blessed to have them as my friends and neighbors.

PAYING TRIBUTE TO BOBBY
JULICH

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. McINNIS. Mr. Speaker, it is with great pride that I rise today to pay tribute to Bobby Julich, a truly talented athlete from Glenwood Springs, Colorado. Bobby's efforts in the Athens Olympic Games are an inspiration to us all, and I would like to join my colleagues here today in recognizing his tremendous achievements before this body of Congress and this Nation.

Bobby Julich was first motivated to become a competitive cyclist at the age of twelve while watching Aspen's Alexi Grewal win a gold medal in the 1984 Olympic time trials event in Los Angeles. As a student at Glenwood Springs high school, he was an active competitor and was sponsored by many local shops. Now 32, Bobby recently won the bronze medal in the men's road time trial at the Athens Games. His achievement has been recognized by his high-school on its wall of pride.

Mr. Speaker, it is an honor to recognize Bobby Julich for his achievement. Representing his country in the Olympics is a great privilege and he did so nobly. I am proud to recognize him today before this body of Congress and this Nation. Congratulations on your performance in the Olympic games, Bobby, and I wish you well in all of your future endeavors.

CONGRATULATING MS. KOKO
TAYLOR

HON. JESSE L. JACKSON, JR.

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. JACKSON of Illinois. Mr. Speaker, I rise today to recognize and congratulate one of my most prestigious constituents, from Country Club Hills, Illinois, Ms. Koko Taylor, the "Queen of the Blues". Ms. Taylor is a recipient of the 2004 National Heritage Fellowship.

The National Heritage Fellowship is the country's highest honor given in the folk and

traditional arts. Ten fellowships and twelve awardees were chosen from 10 states, and we are proud to have Ms. Koko Taylor as this year's award recipient from Illinois.

Ms. Taylor was born 75 years ago in a sharecropper's cabin at the edge of a cotton plantation in southwestern Tennessee. Even though her father encouraged her to perform only Gospel music, Koko and her siblings would sneak out and play the blues on homemade instruments. When she was eighteen, Koko (given that name as a child due to her love of chocolate) moved with her soon-to-be husband Robert "Pop" Taylor to Chicago. Initially sustaining herself as a housekeeper on Chicago's North Shore, it was not long before she was sitting in with legendary blues musicians in Chicago's lively club scene. In 1962, she was discovered by Willie Dixon and signed to a Chess recording contract—Chess Records was the Motown of Chicago. She recorded the million record selling hit "Wang Dang Doodle" in 1965, and had many successful hits since.

For more than 40 years, Koko Taylor's powerhouse vocals have thrilled audiences, from little bars in Chicago's South Side to giant international festivals. She's been in movies, on television, on radio and in print all over the world. Ms. Taylor has received just about every award the blues world has to offer. She has received 19 W.C. Handy Awards, more than any other female blues artist. She has also been nominated for a Grammy for six of her last seven Alligator albums, and won a Grammy in 1984. In 1993, Chicago Mayor Richard A. Daley honored Taylor with a "Legend of the Year Award," and declared "Koko Taylor Day" throughout Chicago. The Blues Foundation bestowed a Lifetime Achievement Award on her in 1999.

Ms. Taylor has been described by Rolling Stone as "the great female blues singer of her generation." Her vocal power and stage presence, drawing on such forbears as Bessie Smith, Sippie Wallace, and Alberta Hunter, has carried her through four decades of recording and live performance, and she continues to play over 100 concerts a year all over the world. Ms. Taylor's contributions to the music world have been enumerable, and I congratulate her on her achievement.

INTRODUCTION OF A BILL AU-
THORIZING EXPANSION OF
HAWAII VOLCANOES NATIONAL
PARK KAHUKU, HAWAII

HON. ED CASE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. CASE. Mr. Speaker, I rise today to introduce a bill to authorize expansion of Hawai'i Volcanoes National Park located on the Island of Hawai'i.

This bill would authorize expansion of the park's boundaries to allow the National Park Service to acquire 656 additional acres between the 1,000 and 2,000-foot elevation marks in the Kahuku district makai (ocean-side) of State Highway 11. This property, which is a part of the historic Kahuku Ranch, most of which has already been added to the Park, includes extensive natural and cultural resources. These Kahuku lands encompass

the southwest rift zone of Mauna Loa, one of the most massive volcanoes in the world.

The geologic features of the proposed acquisition—three large pit craters—provide vestiges of native forest and other unique attributes. The property also includes ranch buildings, walls, and pasture lands that are reminiscent of nineteenth and early twentieth century ranching and contain remnant ranchlands that are not currently represented to the public by any National Park in Hawai'i. These buildings would provide public, office, educational, and research space for a much-needed satellite headquarters for this portion of the 333,000-acre park. And locating these services in these historic structures will preserve more of the natural resources of the park in an unspoiled condition.

The property also provides magnificent open landscape views and vistas that offer a glimpse into a cultural landscape that has remained unchanged for decades.

The geologic, biologic and cultural resources contained on this property will also enhance the quality of the park for its legislated purpose and as a World Heritage Site and International Biosphere Reserve. In addition, the park has a well-developed partnership with adjacent landowners in management of native ecosystems and historic landscapes and acquisition of this makai section of Kahuku will help to facilitate this partnership.

The Hawaii House of Representatives passed H.R. No. 56 in the 2001 session supporting acquisition of the Kahuku Ranch as part of Hawaii Volcanoes National Park and the Hawaii State Senate passed a similar resolution.

I would be very grateful for the support of my colleagues for this important bill. Mahalo!

PAYING TRIBUTE TO ERNESTO
TAFOYA

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. MCINNIS. Mr. Speaker, I rise to pay tribute to US Navy veteran Ernesto Tafoya. Ernesto, who held the rank of Senior Chief Petty Officer, bravely answered our Nation's call to duty during World War II. Following the war, he continued to serve our Nation in the Naval Reserve, retiring in 1983 after forty years of honorable service. I consider it a great honor to recognize the sacrifices Ernesto made for his Nation before this body of Congress today.

Ernesto joined the U.S. Navy in 1943 at the age of seventeen. After months of training he became an engineman on an amphibious landing craft, and was later sent to the Pacific Theater. Ernesto's unit arrived in Hawaii in early 1945, sailed to the Marshall Islands, and eventually arrived at Leyte Gulf in the Philippines. There his unit took part in liberating the Philippines from the Japanese. Following the Philippine campaign, Ernesto was sent to Japan as part of the allied occupation force where he again served honorably. Upon returning from overseas Ernesto continued his service in our Nations Naval Reserve.

Ernesto comes from a family with a long tradition of defending our Nation's freedom. His maternal grandfather Sabino Lopez from

Chihuahua, Mexico, gained his U.S. citizenship by fighting for the Union side in the Civil War. His older brother Dewey served in the European Theater with the US Army during World War II, and was killed during the infamous Battle of the Bulge. In addition, Ernesto's children have followed in their father's footsteps, both his son and his daughter are currently serving as members of our armed forces. His daughter, Michelle Tafoya, has served honorably in the US Air Force for sixteen years, and is today being promoted to the rank of Lieutenant Colonel. Ernesto's son, Carl, served in Vietnam and Desert Storm, and is currently deployed in Kuwait as an Army medivac helicopter pilot.

Mr. Speaker, later today, I will have the distinct honor of recognizing Ernesto for his service during World War II by bestowing upon him the Philippine Liberation Medal. This is a long overdue tribute to the sacrifices Ernesto endured in the defense of freedom. Ernesto, your service is the embodiment of American heroism and we are very proud of you.

IN HONOR OF THE REPUBLIC OF
CHINA'S NATIONAL DAY

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. SESSIONS. Mr. Speaker, I rise to honor one of the United States' most reliable allies, the Republic of China, on the occasion of its National Day, October 10. That great nation, better known as Taiwan, has served as a mirror on our times, reflecting the agonies and dreams of the 20th Century and the soaring aspirations of the new century. The ROC was born of the tragedy of Communist betrayal, reared in the tension of the cold war, and reached maturity during the information age.

The ROC was the first casualty of Imperial Japanese aggression and our staunch ally in the fight to free the Pacific of that tyranny. In 1949, Chinese Communists seized power on the mainland and the central government of the Republic of China relocated to Taiwan. Since that time, we have rightfully considered Taiwan's security of vital interest to the United States. In 1950, President Truman ordered the Seventh Fleet to protect Taiwan from attack by the Chinese Communists and we have maintained a presence in the area ever since. Moreover, the Congress has consistently expressed its support of the ROC since the passage of Taiwan Relations Act of 1979.

Mr. Speaker, Taiwan has developed into a premier Asian democracy, having peacefully evolved from one party rule to the vibrant home of multi-party elections.

Taiwan's political development has been complemented by its economic rise as one of Asia's "Four Tigers," along with Hong Kong, Singapore, and South Korea. Since 1949, the ROC's economy has moved from a leader in agricultural exports, to a major manufacturer of small electronics and consumer goods, to today's premier Asian producer of capital- and technology-intensive commodities, such as personal computers and machinery. Because its economy has achieved such rapid growth, Taiwan boasts one of the world's highest standards of living, with only 1 percent of its population below the poverty line in 2000.

Today, the ROC is an irreplaceable part of the world economy and vital to continued growth here in the U.S.

I know that my colleagues will join me in wishing Taiwan's President Chen Shuibian, its Representative here in the U.S., Dr. David Tawei Lee and the 23 million people of Taiwan a most happy National Day and continued peace and prosperity.

PAYING TRIBUTE TO CHUCK
KORNMAN

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. MCINNIS. Mr. Speaker, it is with great pride that I rise today to pay tribute to Chuck Kornman, a dedicated humanitarian from Grand Junction, Colorado. Chuck has spent his entire life serving other people during times of desperation, and I would like to join my colleagues here today in recognizing his tremendous leadership and service before this body of Congress and this Nation.

Chuck began his professional career as a minister, and after retiring 15 years ago became a volunteer for the Red Cross. This year he will turn 81 years old, and as a family-service coordinator, Chuck travels to disaster sites all over the world to help those affected. He spent 3 months in New York City after the terrorist attacks on September 11 and more recently has aided those afflicted by the floods in Texas, the ice storms in Oklahoma, and the tornado devastated area in southeast Nebraska. Chuck not only interviews victims of natural disasters about their needs, but also provides an unparalleled level of support.

Mr. Speaker, it is a privilege to honor Chuck Kornman for his dedication and commitment to others. In the pinnacle of his life, he serves as an example to all of us. It is with great pleasure that I recognize him today before this body of Congress and this Nation. Thank you, Chuck, for everything you have done. I wish you the best in all of your future endeavors.

HONORING LYNDA THEIL FOR 33
YEARS OF PUBLIC SERVICE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Lynda Theil on her retirement from 33 years of public service as a staff member in the House of Representatives. A dedicated staffer, a tireless worker, a sharp mind, and a good friend, Lynda's dedication to working on behalf of our nation's children has been nothing short of inspiring.

Lynda began her career on the Hill working for Ohio Congressman John Seiberling in January of 1971, the beginning of the 92nd Congress. She worked for Rep. Seiberling through the birth of her two daughters, Corbin and Ashley, who she has raised into intelligent, sophisticated and beautiful young women. Upon Rep. Seiberling's retirement, Linda transitioned to the staff for his successor, Congressman Tom Sawyer at the beginning of the 100th

Congress where she worked until the spring of 1993.

It was at this time, when I was just starting my first term in Congress, that Lynda came to my staff. Her expertise and vast knowledge of education policy have been invaluable to me as a member of the House Education and Workforce Committee. She has worked on legislation including the Child Nutrition Act, the School Breakfast Pilot program, Headstart, The Balancing Act, and welfare programs to name a few. I would also like to honor her for helping to create the Democratic Caucus Task Force on Children and Families. She was instrumental in helping me make this important Caucus a reality and give a voice in Congress to those who need it most.

After so many years of dedicated service, it will certainly be difficult to see Lynda go. She has not only been a resource to myself and other Members of Congress, but also a mentor to a countless number of staff members. I wish her well as she moves on to a new phase of her life. With one grandchild, Brady, and another on the way, she will undoubtedly be as busy and hardworking in retirement as she was on the Hill. I can say without hesitation, that Members of Congress and staff alike will certainly miss her.

Mr. Speaker, Lynda Theil is the role model for what every staff member should be; dedicated, hardworking, caring, and devoted. Her presence will be missed, but not forgotten. Thank you, congratulations, and best wishes, Lynda.

PAYING TRIBUTE TO DONALD BROTZMAN

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. MCINNIS. Mr. Speaker, it is with a heavy heart that I rise to mourn the passing of Congressman Donald Brotzman. Donald, the former representative for Colorado's Second Congressional District recently passed away at the age of eighty-two after battling cancer. He was known for his warmth, integrity and abiding sense of professionalism. As his family and friends mourn their loss, I believe it is appropriate to remember Donald and pay tribute to him for his contributions to the state of Colorado and this Nation.

Donald was born in 1922 in Logan County where he was a tenor saxophonist and three-sport athlete at Sterling High School. He went to school at the University of Colorado on a football scholarship in 1939, only to postpone his studies to serve his country as an Army officer during World War II. After the war, Donald married Louise Reed and returned to the University of Colorado to earn his business and law degrees.

Donald began working as a lawyer in Boulder in 1950, and was elected later that same year to the Colorado House of Representatives. He was a dynamic legislator who reflected strong Western values and a compassionate heart. Donald would go on to serve in the State Senate where he was named the outstanding freshman member, an honor he also enjoyed from his time in the State House. He was appointed as the Colorado U.S. attorney in 1959 and just two years later, he was

elected to the U.S. House of Representatives where fellow lawmakers named him president of the Republican freshman class. Former U.S. Senator Bill Armstrong referred to Donald as a trailblazer in politics, and a man of great integrity and principle.

After Donald left politics, he worked in the Government Relations department at the Rubber Manufacturers Association before retiring in 1989. When Louise died in 1995, Donald remarried, and is survived by his wife Gwendolyn, a brother, daughter, and son, in addition to a stepson and six grandchildren.

Mr. Speaker, we are all saddened by the loss of Congressman Donald Brotzman, though we take comfort in the knowledge that our grief is overshadowed by the legacy of dedication that Donald has left with us. I am honored to pay tribute to such a devoted public servant, one who has given many years in service to the state of Colorado and Nation. I know that many throughout our state who had the chance to benefit from his experience and dedication will miss Donald Brotzman. My thoughts and prayers go out to his family during this time of bereavement.

MINGO JOB CORPS CIVILIAN CONSERVATION CENTER

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mrs. EMERSON. Mr. Speaker, the Mingo Job Corps Civilian Conservation Center was established in 1965 and is located on the southeastern corner of Mingo National Wildlife Refuge. Over 224 corps members participate in the program at Mingo at any one time. They can see daily what many people travel miles to observe on a National Wildlife Refuge. They are working to make a special effort to provide vocational work sites for training, as well as placement in permanent jobs, not just at Mingo, but on other facilities within the region.

In a residential setting, students are given the opportunity to complete their secondary education, round out their social skills, and acquire a vocational skill. Vocational training is offered in the following trades at Mingo: automotive repair, building maintenance, bricklaying, carpentry, heavy equipment operation, painting, welding, clerical, culinary arts, and health services.

With an audience of over 200 young people in residence for over a year on a National Wildlife Refuge, the Center is taking advantage of the opportunity to expose them to environmental awareness concepts in the education, vocational training, and residential living programs. The Center is a unique mix of human resources and natural resource management.

The Mingo Job Corps Center, located in Puxico, Missouri, has become a critical part of the economy in Southeast Missouri. I first want to brag on the work the Center has done and give a little background on the work they do to better the community and the lives of those they serve. The Center has been crucial in providing the young people in Southeast Missouri many opportunities that they would not otherwise have available to them. The lack of viable economic opportunities in the area is staggering, and, as a result, many people in

the area have to rely on government assistance to make ends meet.

The Mingo Job Corps Center is the one place these people can go to develop the critical skills needed to enter the workforce. While some of the students at the Center are what we commonly refer to as being "at-risk," the Job Corps program has allowed these young men and women to make a life for themselves and succeed. Additionally, the surrounding community has benefitted from the work of the Center because, upon graduation, the students are able to give back to the community with the skills they have learned.

Last year, U.S. Fish and Wildlife Service announced that they did not have the budget to adequately operate the Center. As a result, the Department of Labor recommended that the operations of the Center be contracted out. I completely opposed the proposal to contract out the operations at the Mingo Job Corps Center.

In response to the announcement to contract out operations Senator BOND and I introduced legislation to transfer the Mingo Center to the jurisdiction of the U.S. Forest Service. By adding the Mingo Job Corps Center to the list of U.S. Forest Service-run facilities, we will protect the livelihood of the students and employees served by the Center and ensure that the facility will continue to be operated by an experienced and dedicated staff. Most importantly, the skilled workers who graduate from the Center will continue to add to the dedicated workforce and contribute to the health of the rural economy.

I am very proud to bring this legislation to the House of Representatives for a vote today, because it represents an important initiative in rural Missouri. Our job training programs are vital to our economic success now and in the future. Keeping the Mingo Center open and operating is a small, but important way to acknowledge our commitment to a dedicated workforce.

PAYING TRIBUTE TO RAYMOND TETREAUULT

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. MCINNIS. Mr. Speaker it is with great pride that I rise today to pay tribute to Raymond Tetreault, a dedicated gardener from Delta, Colorado. Raymond is responsible for creating beautiful landscapes and scenic floral displays throughout the streets of Delta and I would like to join my colleagues here today before this body of Congress and this nation in recognizing his service to the Delta community.

Raymond grew up in New Bedford, Massachusetts and moved to Colorado to look for work in 1976. He loved gardening as a child and took related classes from Front Range Community College before working fourteen years at the Pinehurst Country Club. After Pinehurst Raymond, who identifies himself as an amateur naturalist, became the Delta city gardener in 2003. Raymond prides himself on making sure that every flowerbed is a knockout. He insures that each flowerbed is comprised of a mix of annuals and perennials to produce colorful blooms all year round. His

work can be seen in most local Delta parks, Main Street, the bike path between the Gunnison River and Gunnison River Drive, and the Delta County Historical Society Museum.

Mr. Speaker, Raymond Tetreault is a dedicated, selfless person who has been a devoted public servant. He has developed intricate floral designs that color the streets of Delta reflecting the tremendous pride of its citizens. Raymond's enthusiasm and commitment to his craft certainly deserve the recognition of this body of Congress and this nation. Thanks for all your service Raymond and keep up the good work!

PERSONAL EXPLANATION

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. ROGERS of Michigan. Mr. Speaker, on the legislative day of Thursday, September 30, 2004, the House had a vote on Res. 792, a resolution to honor the United Negro College Fund on its 60th anniversary. On House roll-call vote No. 486, I was unavoidably detained. Had I been present, I would have voted "yea."

PAYING TRIBUTE TO NANCY PENFOLD

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. McINNIS. Mr. Speaker, it is with great pride that I rise today to pay tribute to Nancy Penfold, a dedicated creator and curator of the City of Fort Lupton Museum. This week Nancy will be honored as the 2004 Outstanding Older Worker from Colorado for her longstanding commitment to service by the Experience Works Prime Awards organization, and I would like to join my colleagues here today in recognizing Nancy's accomplishments before this body of Congress and the Nation.

Nancy's family came to Fort Lupton in 1895, and have been strong facilitators for the town's continued success. Nancy was born and raised there, making her an excellent candidate for telling the history of Fort Lupton. Nancy was a volunteer historian since 1975 and in 1982, she led the movement to establish the City of Fort Lupton Museum. Today she holds the position of museum curator where she maintains the local heritage of the Fort Lupton community, and strives to preserve the riches of its past through special events and programming that enable citizens to display unique collections. Nancy has spent many hours collecting oral histories from seniors in both the Greeley and Fort Lupton communities that enables citizens to organize and archive family histories for future generations.

Nancy is also very active in several organizations and boards throughout her community including: Quality of Life, Friends of a Woman's Place, the Greeley RSVP board, and the Walk for Life campaign in the American Cancer Society. Additionally she has worked as a peer counselor for Weld County Mental Health, helped start the local Hospice program, and frequently delivers meals as part of the Meals on Wheels program.

Mr. Speaker, Nancy Penfold has dedicated her life to preserving the history and culture of one of Colorado's most unique towns. Her compassionate and selfless service to Fort Lupton and the Colorado community certainly deserves the recognition of this body of Congress and this nation. Congratulations on your award Nancy, and I wish you all the best in your future endeavors.

IN HONOR OF DENNIS A. LUSARDI

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. ENGEL. Mr. Speaker, I rise today in honor of Mr. Dennis A. Lusardi who will receive the Four Freedoms Award on Friday, November 5, 2004. This prestigious award is given by the Franklin and Eleanor Roosevelt Institute to exceptional men and women who, in their work and life, are committed to the 4 principles outlined by President Roosevelt in 1941. These principles are the freedoms of speech and expression, worship, and the freedom from both want and fear.

I know that Dennis embodies these pillars in his work with the labor movement. As a dedicated worker, he has served the labor community and union members for over 40 years. He was born in Yonkers and graduated from Christopher Columbus High School and then attended Westchester Community College. I admire his entrance into the workforce in 1958 as an apprentice in the esteemed Ironworkers' Union. My father was an Ironworker, and I have great respect for trade unions, their values, and the work that they do. Dennis immediately showed that he was a dedicated and passionate advocate for improvements to his union. He took his first leadership role in the 1970s when he was appointed to the Pension Fund, and has proven his devotion by continuing his service as Chairman still today. He continued his impassioned work in 1981 when he became a Delegate to the International Convention.

In 1989 Dennis also became the Financial Secretary Treasurer, and since then he has held his position by acclamation from those he serves. Dennis' expertise and experience have truly benefited the labor movement, the community, and those who know and love him. He also lends his services and experiences as the Ironworkers' Union's Business Manager. He is as committed to advocating on behalf of his fellow workers today as the day he began his career. I am delighted to say that he continues this exceptional service as the Vice President of Westchester Building Trades, the Treasurer for the Ironworkers District Counsel of New York, and is also representative for the Ironworkers District Counsel Pension Plan. He exemplifies the hardworking ideals of his union and this country, and truly deserves this great honor. In addition to the incredible and significant work on behalf of organized labor, Dennis is also a proud father of two, and has three wonderful grandchildren. It is my privilege today to speak in the House of Representatives in honor of Mr. Dennis A. Lusardi.

PAYING TRIBUTE TO CHAR HACKER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. McINNIS. Mr. Speaker, it is with great pride that I rise today to pay tribute to Char Hacker, a talented teacher from Grand Junction, Colorado. For twenty-three years Char has inspired and challenged Taylor Elementary students to achieve the very best in their lives and I would like to join my colleagues here today in recognizing Char's tremendous service to the Grand Junction community.

Char became an elementary teacher when she graduated from Western State College after her first dream of directing a High School band program did not work out. However, Char found her true passion as a music teacher and went on to earn her masters degree in special-needs education after working at Taylor High School for ten years. Currently she spends half her day teaching music and half teaching individual students with special needs. Char is a brilliant teacher whose methods of using fun and games to encourage her students to study hard and reach their goals. She positively impacted the lives of several students, an experience that many remember long after they have become adults.

Mr. Speaker, Char Hacker is a wonderful ambassador for education who dedicates her life to teaching the next generation of leaders in her Grand Junction, Colorado community. Char has taken the noble and challenging occupation of teaching to a new level of excellence. Her compassionate and selfless service to Grand Junction and the Colorado community certainly deserves the recognition of this body of Congress and this nation. Thanks for all your hard work Char, and I wish you all the best in your future endeavors.

PERSONAL EXPLANATION

HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. NETHERCUTT. Mr. Speaker, I was unavoidably detained due to a prior obligation and missed the following votes. Had I been present I would have voted "no" on Roll Call Vote No. 473, "yea" on Roll Call Vote No. 474, "yea" on Roll Call Vote No. 475, "no" on Roll Call Vote No. 476, "yea" on Roll Call Vote No. 477, "no" on Roll Call Vote No. 478, "yea" on Roll Call Vote No. 479, "no" on Roll Call Vote No. 480, "yea" on Roll Call Vote No. 481, "yea" on Roll Call Vote No. 482, "yea" on Roll Call Vote No. 483, "yea" on Roll Call Vote No. 485, and "yea" on Roll Call Vote No. 486.

PAYING TRIBUTE TO JOEL BOUCHARD

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. McINNIS. Mr. Speaker, it is with great pride that I rise today to pay tribute to veteran

Joel Bouchard from Clifton, Colorado, for overcoming adversity. Joel served his country as a soldier in World War II, and after being injured in battle, went to school to begin a new career. He was determined to triumph over his injuries, and I would like to join my colleagues here today in recognizing his tremendous achievement before this body of Congress.

On September 25 1944, Joel Bouchard was fighting the German army in a German forest when shrapnel injured his leg. He would be treated in a MASH unit and then have several follow-up surgeries in an English Hospital. Because of the injury, Joel's right leg is paralyzed from the knee down. The injury prohibited him from returning to his job in a ball bearing plant. Thankfully, a program created in 1945 by the Joseph Bulova School of Watchmaking would provide Joel a new beginning. The Bulova family established the school to allow disabled veterans to be self-sufficient. Jewelers throughout the country committed over 1500 positions to the graduates of the school. The son of a blacksmith, Joel excelled as a student and has been a master horologist for half a century.

Mr. Speaker, it is a privilege to honor Joel Bouchard for his service to this country and his courage to overcome his serious injury. Joel serves as an example to us all that there is always hope, and a chance for a new beginning, and it is with great pleasure to recognize him today before this body of Congress and this Nation. Thank you, Joel, for your service to this country. Your story of perseverance serves as an inspiration to us all. I wish you the best in all of your future endeavors.

FLOOR ANNOUNCEMENT BY THE
HON. DAVID DREIER ON THE
AMENDMENT PROCESS FOR CON-
SIDERATION OF H.R. 10—9/11 REC-
COMMENDATIONS IMPLEMENTA-
TION ACT

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 4, 2004

Mr. DREIER. Mr. Speaker, the Rules Committee may meet this week to grant a rule

which could limit the amendment process for floor consideration of H.R. 10, the 9/11 Recommendations Implementation Act. The Committees on Armed Services, Financial Services, Government Reform, Intelligence and the Judiciary marked-up and ordered the bill reported on September 29, 2004.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Rules Committee in room H-312 of the Capitol by 7 p.m. on Tuesday, October 5th. Members should draft their amendments to the text of the Rules Committee print dated October 4th, which is available for their review on the Rules Committee website.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, October 5, 2004 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 6

- 9:30 a.m.
Foreign Relations
To hold hearings to examine the impact of current visa policy on international students and researchers.
SD-419
- 10 a.m.
Health, Education, Labor, and Pensions
Judiciary
To hold joint hearings to examine responding to an ever-changing threat relating to BioShield II.
SH-216
- Indian Affairs
Business meeting to consider pending calendar business.
SR-485
- Intelligence
To hold closed hearings to examine certain intelligence matters.
SH-219
- 2:30 p.m.
Armed Services
To hold hearings to examine the report of the Special Advisor to the Director of Central Intelligence for Strategy Regarding Iraqi Weapons of Mass Destruction Programs.
SH-216
- Commerce, Science, and Transportation
Competition, Foreign Commerce, and Infrastructure Subcommittee
To hold hearings to examine issues relating to natural gas.
SR-253

Foreign Relations
East Asian and Pacific Affairs Subcommittee
To hold hearings to examine neglected diseases in East Asia regarding public health programs.
SD-419

OCTOBER 7

- 9:30 a.m.
Commerce, Science, and Transportation
To hold hearings to examine the effect of Federal bankruptcy and pension policy on the financial situation of the airlines.
SR-253
- Judiciary
Business meeting to consider pending calendar business.
SD-226
- 10 a.m.
Joint Economic Committee
To hold hearings to examine the long-run economics of natural gas.
SD-628

OCTOBER 8

- 9:30 a.m.
Joint Economic Committee
To hold hearings to examine the current employment situation for September.
SD-628